

13:1E-96

LEGISLATIVE HISTORY CHECKLIST
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(Recycling--allow
municipal grants
to nonprofit
organizations)

LAWS OF: 1990

CHAPTER: 117

Bill No: A1907

Sponsor(s): Moran

Date Introduced: Pre-filed

Committee: Assembly: Waste Management

Senate: Land Use

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: March 8, 1990
Senate: October 11, 1990

Date of Approval: November 27, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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[FIRST REPRINT]
ASSEMBLY, No. 1907

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblymen MORAN and CONNORS

1 AN ACT concerning recycling grants and amending P.L.1981,
2 c.278.

3
4 BE IT ENACTED *by the Senate and General Assembly of the*
5 *State of New Jersey:*

6 1. Section 5 of P.L.1981, c.278 (C.13:1E-96) is amended to
7 read as follows:

8 5. a. The State Recycling Fund (hereinafter referred to as the
9 "fund") is established as a nonlapsing, revolving fund. The fund
10 shall be administered by the Department of Environmental
11 Protection, and shall be credited with all tax revenue collected
12 by the division pursuant to section 4 of P.L.1981, c.278
13 (C.13:1E-95). Interest received on moneys in the fund and sums
14 received as repayment of principal and interest on outstanding
15 loans made from the fund shall be credited to the fund. The
16 Department of Environmental Protection, in the administration
17 of the fund, is authorized to assign to the New Jersey Economic
18 Development Authority the responsibility for making credit
19 evaluations of applicants for loans, for servicing loans on behalf
20 of the department, and, the provisions of any other law to the
21 contrary notwithstanding, for making recommendations as to the
22 approval or denial of loans pursuant to this section. The
23 department is further authorized to pay or reimburse the
24 authority in the amounts as the department agrees are
25 appropriate for all services rendered by the authority in
26 connection with any assignment of responsibility under the terms
27 of this section out of moneys held in the fund for loans and the
28 loan guarantee program.

29 b. Moneys in the fund shall be allocated and used for the
30 following purposes and no others:

31 (1) Not less than 40% of the estimated annual balance of the
32 fund shall be used for the annual expenses of a program for
33 recycling grants to municipalities or counties in those instances
34 where a county, at its own expense, provides for the collection,
35 processing and marketing of recyclable materials on a regional
36 basis. The amount of these grants shall be calculated on the basis
37 of the total number of tons of recyclable materials annually
38 recycled from residential, commercial and institutional sources
within that municipality or county.

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.

Matter enclosed in superscript numerals has been adopted as follows:
1 Assembly AWM committee amendments adopted March 1, 1990.

1 a county recycling program, except that no such grant shall
2 exceed \$10.00 per ton of materials recycled. The department
3 may allocate a portion of these grant moneys as bonus grants to
4 municipalities and counties in those instances where a
5 municipality or county, at its own expense, provides for the
6 collection of recyclable materials in its recycling program. The
7 department shall announce each year the total amount of moneys
8 available in the bonus grant fund.

9 A municipality may distribute a portion of its grant moneys to
10 nonprofit groups that are located within that municipality and
11 which have contributed to the receipt of the recycling grant,
12 except that this distribution shall not exceed the value of
13 approved documented tonnage contributed by a nonprofit group.

14 A municipality may designate any nonprofit group ¹[or
15 organization]¹ as a recycling agent. A recycling agent shall ¹[be
16 given] receive¹ that part of the municipality's recycling grant
17 under this subsection that represents the percentage of the grant
18 received by the municipality due to the ¹documented¹ tonnage
19 ¹[recycled] contributed¹ by that recycling agent. Moneys
20 received by a recycling agent shall be expended only for its
21 recycling program. Any moneys not used for recycling shall be
22 ¹[transferred] returned¹ by the recycling agent to the
23 municipality.

24 To be eligible for a grant pursuant to this subsection, a
25 municipality or county in the case of a county recycling program
26 shall demonstrate that the materials recycled by the municipal or
27 county recycling program were not diverted from a commercial
28 recycling program already in existence on the effective date of
29 the ordinance or resolution establishing the municipal or county
30 recycling program.

31 No recycling grant to any municipality shall be used for
32 constructing or operating any facility for the baling of
33 wastepaper or for the shearing, baling or shredding of ferrous or
34 nonferrous materials;

35 (2) Not less than 35% of the estimated annual balance of the
36 fund shall be used to provide low interest loans or loan guarantees
37 to recycling businesses and industries, and to provide moneys for
38 research into collection, market stimulation and reuse techniques
39 applicable to recycling or the disposition of recyclable materials,
40 or to contract for market studies, and to establish a sufficient
41 reserve for a loan guarantee program for recycling businesses and
42 industries;

43 (3) Not more than 7% of the estimated annual balance of the
44 fund shall be used for program planning and program funding,
45 including the administrative expenses thereof;

46 (4) Not more than 8% of the estimated annual balance of the
47 fund shall be used for county recycling program planning and
48 program funding, including the administrative expenses thereof;
49 and

1 (5) Not less than 10% of the estimated annual balance of the
2 fund shall be used for a public information and education program
3 concerning recycling activities.

4 (cf: P.L.1987, c.102, s.36)

5 2. This act shall take effect immediately.

6

7

8

WASTE MANAGEMENT

9

10 Permits nonprofit organizations to receive municipal recycling
11 tonnage grants.

1 departments may allocate a portion of these grant moneys as
2 bonus grants to municipalities that demonstrate high recovery
3 rates in their recycling programs. The departments shall issue
4 guidelines establishing a formula defining a high recovery rate
5 and shall announce each year the total amount of moneys
6 available in the bonus grant fund.

7 To be eligible for a grant pursuant to this subsection, a
8 municipality shall demonstrate that the materials recycled by the
9 municipal recycling program were not diverted from a
10 commercial recycling program already in existence on the
11 [effective] effective date of the ordinance establishing the
12 municipal recycling program.

13 To be eligible for a subsequent annual grant pursuant to this
14 subsection, a municipality shall demonstrate that at least two
15 types of materials are currently recycled, or will be recycled in
16 the succeeding grant year by the municipal recycling program.
17 No recycling grant to any municipality shall be used for
18 constructing or operating any facility for the baling of
19 wastepaper or for the shearing, baling or shredding of ferrous or
20 nonferrous materials. A municipality may designate any
21 nonprofit group or organization as a recycling agent. A recycling
22 agent shall be given that part of the municipality's recycling
23 grant under this subsection that represents the percentage of the
24 grant received by the municipality due to the tonnage recycled by
25 that recycling agent. Moneys received by a recycling agent shall
26 be expended only for its recycling program. Any moneys not
27 used for recycling shall be transferred by the recycling agent to
28 the municipality;

29 (2) Not less than 20% of the estimated annual balance of the
30 fund shall be used to provide low interest loans and to establish a
31 sufficient reserve for a loan guarantee program for recycling
32 businesses and industries;

33 (3) Not more than 10% of the estimated annual balance of the
34 fund shall be used for State recycling program planning and
35 program funding, including the administrative expenses thereof;

36 (4) Not more than 10% of the estimated annual balance of the
37 fund shall be used for county and municipal recycling program
38 planning and program funding, including the administrative
39 expenses thereof; and

40 (5) Not less than 15% of the estimated annual balance of the
41 fund shall be used for a public information and education program
42 concerning recycling activities.

43 2. This act shall take effect immediately.

44

45 STATEMENT

46

47 This bill permits nonprofit organizations that assist
48 municipalities in their recycling effort to receive that amount of

1 the recycling grant that the municipality would receive because
2 of the organization's efforts. This bill promotes recycling
3 because it grants money to those responsible for the recycling.
4 This will encourage other organizations to engage in recycling
5 efforts and allow those already involved to expand their efforts.

6 This bill requires that all grant moneys that a private
7 organization receives shall be used for recycling. Municipal
8 approval is needed for a nonprofit organization to receive part of
9 the grant money.

10

11

12 WASTE MANAGEMENT

13

14 Permits nonprofit organizations to receive municipal recycling
15 tonnage grants.

ASSEMBLY WASTE MANAGEMENT, PLANNING
AND RECYCLING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1907

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 1, 1990

The Assembly Waste Management, Planning and Recycling Committee favorably reports Assembly Bill No. 1907 with committee amendments.

Under current law, 40% of the estimated annual balance in the State Recycling Fund is allocated for municipal recycling programs. This bill would permit a municipality to designate any nonprofit group as a recycling agent. An agent shall receive that portion of the municipality's recycling grant due to that group's efforts. The bill requires that all grant moneys that a private organization receives shall be used for its recycling program. Committee amendments would insert language consistent with existing language concerning nonprofit groups.

This bill was prefiled for introduction in the 1990 session pending technical review. As reported the bill includes changes required by technical review, which has been performed.

SENATE LAND USE MANAGEMENT
AND REGIONAL AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1907

STATE OF NEW JERSEY

DATED: MAY 21, 1990

The Senate Land Use Management and Regional Affairs Committee favorably reports Assembly Bill No. 1907 (1R).

Under current law, 40% of the estimated annual balance in the State Recycling Fund is allocated for annual recycling tonnage grants to municipalities. The amount of these grants is calculated on the basis of the total number of tons of recyclable materials annually recovered from the municipal solid waste stream, i.e. recycled from residential, commercial and institutional sources within a municipality.

Assembly Bill No. 1907 1R would permit a municipality to designate any nonprofit group engaged in recycling activities within that municipality as a recycling agent. The designated recycling agent would receive that portion of the municipality's recycling grant due to that group's efforts. The bill requires that all grant moneys that a private organization receives must be used for its recycling program.

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