

13:1E-28.1

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 13:1E-28.1

(Solid waste
transfer stations-
-host municipality
benefits--payment
not less
frequently than
quarterly)

LAWS OF: 1990

CHAPTER: 54

Bill No: S280

Sponsor(s): Lynch

Date Introduced: Pre-filed

Committee: Assembly: -----

Senate: County & Municipal Government

Amended during passage: No

Date of Passage: Assembly: June 7, 1990

Senate: May 24, 1990

Date of Approval: July 3, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: No

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

1 AN ACT concerning host municipality benefits for solid waste
2 transfer stations, and amending P.L.1987, c.449.

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

6 1. Section 2 of P.L.1987, c.449 (C.13:1E-28.1) is amended to
7 read as follows:

8 2. a. Any municipality within which a transfer station is
9 located pursuant to an adopted and approved district solid waste
10 management plan shall be entitled to an annual economic benefit
11 to be paid or adjusted not less than quarterly in an amount
12 established by agreement with the owner or operator of the
13 transfer station or by order of the Board of Public Utilities, but
14 not less than the equivalent of \$0.50 per ton of all solid waste
15 accepted for transfer at the transfer station during the 1987
16 calendar year and each year thereafter.

17 The owner or operator of the transfer station shall [annually],
18 not less frequently than quarterly, pay to the relevant
19 municipality the full amount due under this subsection and each
20 relevant municipality is empowered to anticipate this amount for
21 the purposes of preparing its annual budget. For the purposes of
22 calculating the payments, the owner or operator of the transfer
23 station may, subject to the prior agreement of the relevant
24 municipality and the approval of the Board of Public Utilities,
25 provide the municipality with any of the following benefits in
26 consideration for the use of land within its municipal boundaries
27 as the location of a transfer station:

28 (1) The receipt of quarterly payments of annual sums of money
29 in lieu of taxes on the land used for the transfer station;

30 (2) The exemption from all fees and charges for the
31 acceptance for transfer of solid waste generated within its
32 boundaries;

33 (3) The receipt of [a] quarterly lump sum cash [payment]
34 payments; or

35 (4) Any combination thereof.

36 b. Every owner or operator of a transfer station required to
37 make [annual] payments not less frequently than quarterly to a
38 municipality pursuant to subsection a. of this section may

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 petition the Board of Public Utilities for an increase in its tariff
2 which reflects these payments. The board, within 60 days of the
3 receipt of the petition, shall issue an order that these payments
4 shall be passed along to the users of the transfer station as an
5 automatic surcharge on any tariff filed with, and recorded by, the
6 board for the solid waste disposal operations of the transfer
7 station.

8 c. The board, within 60 days of the computation of any
9 increase in a solid waste disposal tariff for a transfer station
10 pursuant to subsection b. of this section, shall issue an
11 appropriate order increasing current tariffs established pursuant
12 to law for solid waste collectors using the transfer station by an
13 amount equal to the total amount of the increase in the relevant
14 solid waste disposal tariff calculated pursuant to subsection b. of
15 this section.

16 d. In issuing any order required by this section, the Board of
17 Public Utilities shall be exempt from the provisions of
18 R.S.48:2-21.

19 (cf: P.L.1987, c.449, s.2)

20 2. This act shall take effect immediately.

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WASTE MANAGEMENT

25 Requires that economic benefits due municipalities hosting
26 transfer stations be paid not less frequently than quarterly rather
27 than on an annual basis.

(1990)

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23 STATEMENT

24
25 This measure provides for quarterly payments of host
26 municipality benefits by owners or operators of transfer stations.
27 Currently, payments are made on an annual basis; however,
28 municipalities are dependent upon the receipt of quarterly tax
29 payments. Receipts of host municipality benefits not less
30 frequently than quarterly to coincide with tax receipts would
31 result in more efficient municipal operations.

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34 WASTE MANAGEMENT

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37 transfer stations be paid not less frequently than quarterly rather
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SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 280

STATE OF NEW JERSEY

DATED: MARCH 12, 1990

The Senate County and Municipal Government Committee reports favorably Senate Bill No. 280.

Senate Bill No. 280 provides for quarterly payments of host municipality benefits by owners or operators of transfer stations. Currently, payments are made on an annual basis; however, municipalities are dependent upon the receipt of quarterly tax payments. Receipts of host municipality benefits not less frequently than quarterly to coincide with tax receipts would result in more efficient municipal operations.

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



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001
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TRENTON, N.J. 08625
Release:

Tuesday
July 3, 1990

ADVISORY

Towns who host waste transfer stations will now be able to receive fees quarterly rather than on an annual basis under legislation signed today by Governor Jim Florio.

"This legislation will enable towns to provide better fiscal planning and more efficient municipal operations," said Florio.

S 280/A 618, sponsored by Senator John Lynch and Assemblymen Nicholas Felice and Garabed Haytaian, will also serve as an incentive for other towns to become host communities.

The Solid Waste Management Act allows municipalities which host transfer stations to collect not less than 50 cents per ton from station operators which is assessed on garbage passing through from other jurisdictions.

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