

LEGISLATIVE HISTORY CHECKLIST

NJSA: 34:7-23 and 34:7-26 (Boilers, pressure-- prohibit sale)

LAWS OF: 1987 **CHAPTER:** 336

Bill No: A2329

Sponsor(s): Moran and others

Date Introduced: May 5, 1986

Committee: **Assembly:** Labor
Senate: Labor, Industry and Professions

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

Date of Passage: **Assembly:** September 29, 1986
Senate: December 10, 1987

Date of Approval: December 23, 1987

Following statements are attached if available:

Sponsor statement: Yes Attached: Assembly amendments adopted 9-18-87 (with statement)

Committee statement: **Assembly** Yes
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

12-23-87

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ASSEMBLY, No. 2329

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1986

By Assemblymen MORAN, SINGER and Rocco

AN ACT prohibiting the sale of certain boilers, pressure vessels and refrigeration systems and amending R. S. 34:7-23 and R. S. 34:7-26.

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

1 1. R. S. 34:7-23 is amended to read as follows:

2 34:7-23. No steam boiler, pressure vessel or refrigeration system
3 shall be *sold*, installed or used in this State unless it conforms to
4 such rules, regulations and standards as are from time to time
5 adopted by the Board of Boiler, Pressure Vessel and Refrigeration
6 Rules and approval by the commissioner under authority of [sec-
7 tion] *R. S. 34:1-47 [of this Title]*.

1 2. R. S. 34:7-26 is amended to read as follows:

2 34:7-26. Any owner, lessee, *seller* or operator of any steam or hot
3 water boiler or similar equipment specified in [section] *R. S.*
4 *34:7-14 [of this Title]*, pressure vessel or refrigeration system
5 who shall *sell*, use, cause or allow to be used such steam or hot water
6 boiler or similar equipment specified in [section] *R. S. 34:7-14 [of*
7 *this Title]*, pressure vessel or refrigeration system in violation of
8 any provision of this article shall be liable to a penalty of not less
9 than ***[\$50.00]*** *\$500.00* nor more than ***[100.00]*** *\$1,000.00*
10 for each first offense and not less than ***[\$100.00]*** *\$500.00* nor
11 more than ***[\$500.00]*** *\$2,500.00* for each subsequent offense, to
12 be collected by a civil action or, in the commissioner's discretion, to
13 be imposed by the commissioner as a compromise. All civil actions
14 shall be brought by the Department of Labor [and Industry] as

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendments adopted September 18, 1986.

15 plaintiff, and may be brought in **[any county district court]** *the*
16 *Special Civil Part, Law Division of the Superior Court* of the
17 county, or municipal court of the municipality, wherein such viola-
18 tion shall occur.

1 3. This act shall take effect immediately.

BUILDING AND CONSTRUCTION

**Prohibits the sale of certain boilers, pressure vessels and refrigera-
tion systems.**

ASSEMBLY, No. 2329

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1986

By Assemblymen MORAN, SINGER and Rocco

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3 water boiler or similar equipment specified in [section] *R. S.*
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5 who shall *sell*, use, cause or allow to be used such steam or hot water
6 boiler or similar equipment specified in [section] *R. S. 34:7-14* [of
7 this Title], pressure vessel or refrigeration system in violation of
8 any provision of this article shall be liable to a penalty of not less
9 than \$50.00 nor more than \$100.00 for each first offense and not
10 less than \$100.00 nor more than \$500.00 for each subsequent of-
11 fense, to be collected by a civil action or, in the commissioner's
12 discretion, to be imposed by the commissioner as a compromise.
13 All civil actions shall be brought by the Department of Labor [and
14 Industry] as plaintiff, and may be brought in [any county district
15 court] *the Special Civil Part, Law Division of the Superior Court*
16 of the county, or municipal court of the municipality, wherein such
17 violation shall occur.

1 3. This act shall take effect immediately.

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 printed in italics thus is new matter.

STATEMENT

This bill prohibits the sale in this State of boilers, pressure vessels or refrigeration systems that do not conform to the applicable construction codes adopted under N. J. A. C. 12:90-1.1 et seq., Boilers, Pressure Vessels, and Refrigeration.

BUILDING AND CONSTRUCTION

Prohibits the sale of certain boilers, pressure vessels and refrigeration systems.

A 2329 (1987)

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ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2329

STATE OF NEW JERSEY

DATED: MAY 12, 1986

The Assembly Labor Committee reports favorably Assembly Bill No. 2329.

This bill makes it unlawful to sell a steam boiler, pressure vessel, or refrigeration system in the State unless the boiler, vessel, or system conforms with standards set by the Commissioner of Labor. Current law prohibits the installation or use of substandard boilers, vessels, and systems, but does not prohibit the sale of substandard equipment. As a result, vendors can without fear of penalty sell substandard equipment to buyers who are often unaware of the State's laws regarding this equipment. By closing this loophole, the bill will enable the Department of Labor to penalize vendors of substandard equipment.

Violators of the bill's provisions would be fined not less than \$50.00 nor more than \$100.00 for the first offense and not less than \$100.00 nor more than \$500.00 for each subsequent offense.

to

ADOPTED
SEP 18 1966

Amend:

<u>Page</u>	<u>Section</u>	<u>Line</u>	
1	2	9	Omit "\$50.00" insert "\$500.00"; omit "\$100.00" insert "\$1,000.00"
1	2	10	Omit "\$100.00" insert "\$500.00"; omit "\$500.00" insert "\$2,500.00"

STATEMENT

These floor amendments to A-2329 would in-
crease the penalties for a violation of the law
prohibiting the sale or use of an unlawful
steam boiler/pressure vessel or refrigeration
system.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2329

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STATE OF NEW JERSEY

DATED: FEBRUARY 26, 1987

This bill makes it unlawful to sell a steam boiler, pressure vessel, or refrigeration system in the State unless the boiler, vessel, or system conforms with standards set by the Department of Labor. Current law prohibits the installation or use of substandard boilers, vessels, and systems, but says nothing about the sale of substandard equipment. As a result, vendors can, without fear of penalty, sell substandard equipment to buyers who are often unaware of the State's laws regarding this equipment. By closing this loophole, the bill will enable the Department of Labor to penalize vendors of substandard equipment.

Violators of the bill's provisions, as amended on the floor of the General Assembly, would be fined not less than \$500.00 nor more than \$1,000.00 for the first offense and not less than \$500.000 nor more than \$2,500.00 for each subsequent offense.