

48:13A-3, 48:13A-4.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 48:13A-3, 48:13A-4.1

(Septage haulers - remove from Board of Public Utilities jurisdiction)

LAWS OF: 1983

CHAPTER: 123

Bill No: S1355

Sponsor(s): Hurley and Foran

Date Introduced: May 10, 1982

Committee: Assembly: Transportation and Communications

Senate: Energy and Environment

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

Date of Passage: Assembly: Feb. 28, 1983

Senate: Sept. 23, 1982

Date of Approval: April 5, 1983

Following statements are attached if available:

Sponsor statement:		Yes	// Also attached: Senate amendments adopted 9-23-82 (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

DIPLOMA COPY  
DEPARTMENT OF TREASURY

CHAPTER 123 LAWS OF N. J. 1983  
APPROVED 4-5-83

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SENATE, No. 1355

# STATE OF NEW JERSEY

INTRODUCED MAY 10, 1982

By Senators HURLEY and FORAN

Referred to Committee on Energy and Environment

AN ACT to amend and supplement the "Solid Waste Utility Control Act of 1970," approved May 6, 1970 (P. L. 1970, c. 40).

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

1 1. Section 3 of P. L. 1970, c. 40 (C. 48:13A-3) is amended to read  
2 as follows:

3 3. As used in this act, the following words and terms shall have  
4 the following meanings, unless the context indicates or requires  
5 another or different meaning or intent:

6 a. "Solid waste" means garbage, refuse, and other discarded  
7 materials resulting from industrial, commercial and agricultural  
8 operations, and from domestic and community activities, and shall  
9 include all other waste materials including liquids disposed of inci-  
10 dent thereto except [it shall not include] \**septic waste and*  
11 *except*\* *it shall not include* solid animal and vegetable  
12 wastes collected by swine producers licensed by the State Depart-  
13 ment of Agriculture to collect, prepare and feed such wastes to  
13A swine on their own farms.

14 b. "Solid waste collection" means the activity related to pick-  
15 up and transportation of solid waste from its source or location to  
16 a disposal site\*, *but does not include activity related to the pickup*  
16A *and* *transportation or unloading of septic waste*.\*.

17 c. "Solid waste disposal" means the storage, treatment, utiliza-  
18 tion, processing, or final disposal of solid waste.

19 d. "Septic waste" means *pumpings from septic tanks and cess-*  
20 *pools, but shall not include wastes from a sewage treatment plant.*

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:

\*—Senate committee amendments adopted June 21, 1982.

\*\*—Senate amendments adopted September 23, 1982.

1 2. (New section) Notwithstanding the provisions of P. L. 1970,  
2 c. 40 or any other law, the Board of Public Utilities shall not have  
3 any jurisdiction over charges or rates received by persons engaging  
4 in the business of **\*[hauling]\*** *\*picking up\** **\*\*[and]\*\*** **\*\*,\*\***  
5 transporting *\*\*or unloading\*\** of septic waste in this State.

1 3. This act shall take effect on the sixtieth day following  
2 enactment.

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13 *and feed such wastes to swine on their own farms.*

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2 enactment.

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STATEMENT

The purpose of this bill is to establish reasonable rates for septage haulers through the process of free competition on the open market for services. This bill would promote cost effectiveness and eliminate multiplicity of hearings presently required under the law together with time delays, etc.—all costs of which are currently passed on to the taxpayers.

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SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1355**

**STATE OF NEW JERSEY**

DATED: JUNE 21, 1982

As introduced, Senate Bill No. 1355 removed both the pickup and the disposal of septic waste from the rate setting authority of the Board of Public Utilities, which regulates the rates of the solid waste industry.

The committee amended the bill to provide that only the pickup of septic waste be removed from the board's rate setting authority. The disposal of septic waste would remain within the board's rate setting jurisdiction.

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

**SENATE, No. 1355**

[SECOND OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

DATED: JANUARY 27, 1983

This bill removes from the rate setting authority of the Board of Public Utilities any cases involving persons engaged in the business of picking up, transporting or unloading of septic waste in this State.

**ADOPTED**  
SEP 23 1982

SENATE Amendments

to

Senate Bill No. 1355 OCR

Amend:

Proposed by Senator Hurley  
9/23/82

Page	Sec.	Line	
1	1	11	after "shall" insert "not"
<del>1</del>	<del>1</del>	<del>16</del>	<del>after "pickup" insert</del>
1	1	16A	omit "and" <sup>insert ", "</sup> after "transportation" insert "or unloading"
2	2	4	<del>after "picking up" insert</del> , omit "and"; insert ", " after "transporting" insert "or unloading"

STATEMENT

These amendments add "unloading" to the activities associated with the collection of septic waste, as well as correct a technical error.