

4:5A-20 to 4:5A-26

LEGISLATIVE HISTORY CHECKLIST

NJSA: 4:5A-20 to 4:5A-26 (Dead bodies - regulates use and disposition)

LAWS OF: 1983

CHAPTER: 179

Bill No: S868

Sponsor(s): Zane

Date Introduced: Feb. 1, 1982

Committee: Assembly: Agriculture and Environment

Senate: Natural Resources and Agriculture

Amended during passage: /// No

Date of Passage: Assembly: April 11, 1983

Senate: June 14, 1982

Date of Approval: May 10, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// Yes ~~No~~

Following were printed:

Reports: /// No

Hearings: /// No

CHAPTER 179 LAWS OF N. J. 1983
APPROVED 5-10-83

SENATE, No. 868

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Senator ZANE

AN ACT concerning the regulation of the use and disposition of the bodies of dead animals; providing for the licensing of that business; authorizing the Department of Agriculture to promulgate rules and regulations therefor and providing penalties.

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

1 1. a. "Department" means the Department of Agriculture.

2 b. "Disposal plant" means a place of business or the location
3 where the carcasses of domestic animals or meat packing house
4 refuse are: (1) received or unloaded; (2) processed for the purpose
5 of obtaining the hides, skin, grease residue, fertilizer, food for
6 animals or any other by-product in any manner; or (3) fed to hogs,
7 dogs, fur bearing or other animals, but shall not include an estab-
8 lishment inspected under the "Federal Meat Inspection Act" (21
9 U. S. C. 601 et seq.).

10 c. "Carcasses of domestic animals" means bodies or any part
11 thereof of dead livestock which are not intended for human food.

12 d. "Reportable disease" means diseases dangerous to animal
13 health as enumerated in regulations of the department adopted
14 under the authority of section 7 of P. L. 1950, c. 293 (C. 4:1-21.5).

15 e. "Secretary" means the Secretary of Agriculture.

1 2. No person shall operate or conduct a disposal plant without a
2 license from the department. The department shall, by rule and
3 regulation adopted in accordance with the "Administrative Pro-
4 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.), set fees for

5 licenses and set reasonable inspection and sanitation standards for
6 operators, buildings, containers and vehicles. Fees for licensing
7 shall cover clerical, printing and inspection costs of the department.

1 3. A licensee shall, upon the presentation of official credentials
2 by any department employee or other duly authorized representa-
3 tive of the Secretary of Agriculture, during ordinary business
4 hours, permit the representative to enter his place of business and
5 examine the records required to be kept under section 4 of this act
6 and the facilities and inventory pertaining to the business of the
7 licensee, and to take reasonable samples of the inventory. Any
8 necessary facilities, other than reproduction equipment, for the
9 examination and copying of records and for the examination and
10 sampling of inventory shall be afforded to the department employee
11 or other authorized representative of the secretary.

1 4. Each licensee shall keep at his place of business a record of
2 each place at which he obtains carcasses of domestic animals con-
3 taining location, name and address of owner, date picked up and the
4 sequence in which carcasses are picked up from each place on each
5 date.

1 5. A licensee may haul and transport the carcasses of animals
2 that have died from disease in a covered vehicle, bed or tank which
3 is watertight and is so constructed that no drippings or seepings
4 from the carcasses can escape from the vehicle, bed or tank. Such
5 vehicle shall not be driven into the yard, or upon the premises of
6 any person, unless the driver first obtains the permission of the
7 person.

1 6. a. The department shall annually adopt a penalty schedule for
2 specific violations of the provisions of this act or regulations
3 adopted pursuant to this act. Penalties shall be set between a
4 minimum of \$100.00 to a maximum of \$3,000.00 per violation.

5 b. Penalties shall be collected in a summary proceeding pursuant
6 to "the penalty enforcement law" (N. J. S. 2A :58-1 et seq.). The
7 Superior Court or any county district or municipal court where the
8 defendant may reside, or where the violation was detected, or
9 where the defendant was apprehended shall have jurisdiction to
10 enforce the act and the regulations adopted thereunder.

11 c. The department may bring an administrative action before
12 an administrative law judge to enforce the provisions of this act
13 or regulations adopted thereunder. Any final determination and
14 penalty assessment by an administrative law judge may be enforced
15 in the Superior Court in an action brought for that purpose by the
16 Attorney General on behalf of the department.

17 d. Any habitual violation of the provisions of this act or any

18 regulations adopted thereunder may be restrained by the Superior
19 Court in an action brought for that purpose by the Attorney
20 General on behalf of the department.

1 7. The department may adopt and promulgate rules and regula-
2 tions necessary in carrying out the provisions of this act to prevent
3 the spread of disease among domestic animals.

1 8. This act shall take effect immediately.

STATEMENT

This bill will grant the Department of Agriculture the authority to inspect dead animal disposal plants. These plants either convert the animals into animal feeds, fertilizer or render them into fats, oils, hides, etc. Disposal plant operators will be required to be licensed and to keep records of the origin of dead and diseased animals. These records would then be used to trace a diseased animal to the herd of origin. Operators who pick up dead or diseased animals will also be required to obtain licenses. Fees for licensing will cover clerical, printing and inspection costs of the department.

18 regulations adopted thereunder may be restrained by the Superior
19 Court in an action brought for that purpose by the Attorney
20 General on behalf of the department.

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S 868 (1982)

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO
SENATE, No. 868

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 1983

The Senate Natural Resources and Agriculture Committee statement adequately states the purposes and provisions of the bill.

SENATE NATURAL RESOURCES AND AGRICULTURE
COMMITTEE

STATEMENT TO
SENATE, No. 868

STATE OF NEW JERSEY

DATED: MARCH 15, 1982

This bill would grant the Department of Agriculture the authority to inspect plants engaged in dead animal disposal. These plants either convert the animals into animal feed, fertilizer or render them into fats, oils, hides, etc. This bill would require disposal plant operators to be licensed and to keep records of the origin of the dead animals. The records could then be used to trace an animal which died of a disease back to the herd of origin, thereby minimizing the potential spread of the disease. Fees for licensing would cover the department's clerical, printing and inspection costs.

A-3055, sponsored by Assemblywoman Marie S. Muhler, R-Monmouth, which establishes an educational information and resource center in South Jersey and authorizes it to take over all the assets of the Educational Improvement Center in the southern region of the State. The bill also terminates the three Educational Improvement Centers in the central northwest and northern regions of the State.

May 11
1983

S-524, sponsored by State Senator John H. Dorsey, R-Morris, which extends the tort immunity granted public employees for injury caused by failure to perform adequate health examinations, to private physicians while performing professional services for a public entity as a volunteer without compensation. The immunity applies to examinations for public health purposes (tuberculosis, eye, hearing etc). It does not apply to examinations for the purpose of treatment such as are ordinarily made in hospitals or doctors offices.

A-1764, sponsored by Assemblyman Raymond Lesniak, D-Union, which requires that all liens imposed to recover expenditures from the State Spill Compensation Fund be filed with the clerk of the Superior Court and the clerk of Deeds and Mortgages in the county where the affected property is located.

S-868, sponsored by State Senator Raymond J. Zane, D-Gloucester, which grants the Department of Agriculture the authority to license and inspect plants which dispose of dead animals by converting them to animal feed or fertilizer or rendering them into fats, oils or hides. The bill would require the plant operator to keep records of the origin of the dead animals, thus allowing investigators to trace back sources of disease to the herd of origin.

A-2091, sponsored by Assemblyman Anthony M. Villane, R-Monmouth, which transfers \$300,000 from State aid funds previously appropriated for the dredging of inland waterways to provide additional funding for Marine Police operations. The bill has the effect of