

52:27F-24

LEGISLATIVE HISTORY CHECKLIST

WJSA 52:27F-24 (Energy - Emergency regulations-Violations-municipal court jurisdiction)

LAWS OF 1979 CHAPTER 187

Bill No. A3525

Sponsor(s) Hollenbeck and Visotcky

Date Introduced July 9, 1979

Committee: Assembly -----

Senate Energy and Environment

Amended during passage Yes No

Date of Passage: Assembly Jul 16, 1979

Senate August 6, 1979

Date of approval Sept. 10, 1979

Following statements are attached if available:

Sponsor statement	Yes	Yes (Below)
Committee Statement: Assembly	Yes	No
Senate	Yes	Yes
Fiscal Note	Yes	No
Veto message	Yes	No
Message on signing	Yes	Yes

Following were printed:

Reports	Yes	No
Hearings	Yes	No

Sponsor's statement:

This bill would provide municipal courts with jurisdiction over proceedings instituted to enforce penalties for violations of Department of Energy regulations relating to energy emergencies.

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ASSEMBLY, No. 3525

STATE OF NEW JERSEY

INTRODUCED JULY 9, 1979

By Assemblymen HOLLENBECK and VISOTCKY

(Without Reference)

AN ACT to amend the "Department of Energy Act," approved
July 11, 1977 (P. L. 1977, c. 146).

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

1 1. Section 22 of P. L. 1977, c. 146 (C. 52:27F-24) is amended
2 to read as follows:

3 22. a. Any person purchasing or attempting to purchase energy
4 in violation of section 15 of this act or any rules, regulations, or
5 orders promulgated thereunder, shall be subject to a penalty of
6 not more than \$25.00 for the first offense, not more than \$100.00
7 for the second offense, and not more than \$200.00 for the third
8 offense or subsequent offenses.

9 b. Any retail dealer who violates section 15 of this act or any
10 rules, regulations, or orders promulgated thereunder, shall be
11 subject to a penalty of not more than \$25.00 for the first offense,
12 not more than \$200.00 for the second offense, and not more than
13 \$400.00 for the third offense or subsequent offenses.

14 c. Any distributor or any other supplier of energy who violates
15 any of the provisions of section 15 of this act or of any rules,
16 regulations, or orders promulgated thereunder, shall be subject to
17 a penalty of not more than \$1,000.00 for the first offense, not more
18 than \$5,000.00 for the second offense, and not more than \$10,000.00
19 for the third offense or subsequent offenses.

20 d. In addition to any other penalties provided under this or any
21 other act, the commissioner may recommend to the appropriate
22 agency the suspension or revocation of the license of any retail
23 dealer, gasoline jobber, wholesale dealer, distributor, or supplier
24 of fuel, who has violated this act or any rules, regulations, or orders
25 promulgated hereunder.

26 e. All penalties imposed pursuant to this section shall be collected
27 in a civil action by a summary proceeding under the Penalty
28 Enforcement Law (N. J. S. 2A:58-1 et seq.). If the violation is

29 of a continuing nature, each day during which it continues shall
30 constitute an additional and separate offense. *In addition to the*
31 *jurisdiction conferred by N. J. S. 2A:58-2, the municipal court*
32 *shall have jurisdiction of proceedings initiated on or after June*
33 *20, 1979 for the enforcement of the penalties provided by this sec-*
34 *tion.*

1 2. This act shall take effect immediately and shall be retroactive
2 to June 20, 1979.

STATEMENT

This bill would provide municipal courts with jurisdiction over proceedings instituted to enforce penalties for violations of Department of Energy regulations relating to energy emergencies.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3525

STATE OF NEW JERSEY

DATED: AUGUST 2, 1979

This bill would provide municipal courts with jurisdiction over proceedings instituted to enforce penalties for violations of Department of Energy regulations relating to energy emergencies. Municipal court disposition of these cases will relieve the current burden on district court calendars, be more convenient for civilian witnesses, and result in less overtime for police witnesses, thereby facilitating enforcement of the emergency energy regulations.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 10, 1979

KATHRYN FORSYTH

Governor Brendan Byrne today signed a bill providing municipal courts with jurisdiction over proceedings instituted to enforce penalties for violations of Department of Energy regulations concerning the sale and use of motor fuel during proclaimed energy emergencies.

The bill, A-3525, was sponsored by Assemblyman Robert P. Hollenbeck (D-Bergen).

Under the Energy Act of 1977, the Commissioner of Energy can adopt and enforce regulations for enforcement during an energy emergency. Under the penalty statutes, proceedings on violations of such regulations are to be held in county district courts.

Reasons for the change include:

— the considerable number of complaints currently pending and anticipated in the county district courts resulting from the present energy emergency would delay other court matters;

— local police will be involved in these proceedings rather than State inspectors who normally participate in such case enforcement. The use of municipal courts rather than district courts will involve far less inconvenience and expense to the police and civilian witnesses.

— district court proceedings are far more expensive than municipal court proceedings.

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