

2A:170-69.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 2A:170-69.1

Laws of 1977 Chapter 111 (Coastal Littering And Dumping Responsibility of owner or Captain of vessel)

Bill No. S954

Sponsor(s) Buehler

Date Introduced Pre-filed

Committee: Assembly Agriculture and Environment

Senate Law, Public Safety and Defense

Amended during passage Yes No

Date of passage: Assembly May 16, 1977

Senate June 3, 1976

Date of approval June 1, 1977

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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Bill 111 L.L. 1977  
6-1-77

SENATE, No. 954  
STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator BUEHLER

AN ACT to amend "An act concerning disorderly persons, and supplementing chapter 170 of Title 2A of the New Jersey Statutes," approved July 12, 1954 (P. L. 1954, c. 137).

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

1 1. Section 1 of P. L. 1954, c. 137 (C. 2A:170-69.1) is amended to  
2 read as follows:

3 1. **[**Any person who discharges, or suffers, or permits the dis-  
4 charge of any waste, debris, refuse or any other matter or material  
5 by any method, means or manner into or upon the coastal waters  
6 or tidal water bays of this State from any vessel afloat on said  
7 waters**]** *The owner or other person in charge of any vessel afloat*  
8 *upon the coastal waters or tidal water bays of this State, who shall*  
9 *discharge, suffer, or unknowingly or knowingly allow or permit*  
10 *the discharge of any waste, debris, refuse or any other matter or*  
11 *material by any method, means, or manner into or upon said waters*  
12 *from such vessel by any person aboard, which waste, debris, refuse,*  
13 *material or matter may or will tend to litter any established*  
14 *bathing beach or any beach customarily used for bathing purposes*  
15 *or to pollute the waters adjacent to any such beach, is a disorderly*  
16 *person.*

1 2. This act shall take effect immediately.

STATEMENT

This bill will impute liability for the despoiling of the coastal waters of this State to the owner of any vessel from which debris or other despoilants originates. The intent is to ease the burden of proof incumbent upon law enforcement personnel in the enforcement of this act as there presently exists a high degree of difficulty in determining exactly which individual among those aboard a vessel has committed the prohibited act.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

SENATE LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
**SENATE, No. 954**

**STATE OF NEW JERSEY**

DATED: MAY 5, 1976

This bill imputes liability as a disorderly person for despoiling the coastal or tidal bay waters of New Jersey, to the owner or the operator of the vessel of origin. Under existing law any person who despoils the coastal or tidal bay waters is so liable but problems of proof make it extremely difficult to enforce this section. By imputing liability to the owner or operator, such persons thereby incur a special obligation to control their passengers.