

13:1E-127.1 & 13:1E-135.1
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2022 **CHAPTER:** 64

NJSA: 13:1E-127.1 & 13:1E-135.1
(Revises law requiring registration with DEP of certain entities engaged in soil and fill recycling services.)

BILL NO: A4255 (Substituted for S2870)

SPONSOR(S) John F. McKeon and others

DATE INTRODUCED: 6/9/2022

COMMITTEE: **ASSEMBLY:** Special Committee on Infrastructure and Natural Resources

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/29/2022

SENATE: 6/29/2022

DATE OF APPROVAL: 7/5/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

A4255

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2870

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Bar Report - June 20, 2022 New Jersey Law Journal

Police licensing legislation moves through committees, awaits budget committee nods – June 20, 2022 New Jersey Law Journal

end

P.L. 2022, CHAPTER 64, *approved July 5, 2022*
Assembly, No. 4255

1 AN ACT concerning certain soil and fill recycling services and
2 amending P.L.2019, c.397.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.2019, c.397 (C.13:1E-127.1) is amended to
8 read as follows:

9 1. a. No later than **[90 days after the effective date of**
10 **P.L.2019, c.397 (C.13:1E-127.1 et al.)]** July 14, 2022, any business
11 concern that is not already a licensee pursuant to **[P.L.1991, c.269]**
12 P.L.1983, c.392 (C.13:1E-126 et seq.), and that actively engages in,
13 or otherwise provides, soil and fill recycling services shall register
14 with the department. The registration shall include, but need not be
15 limited to:

16 (1) the name of the business concern and its New Jersey
17 corporate filing number;

18 (2) the address of the business concern and the addresses of any
19 other locations where trucks or equipment used by the business
20 concern are kept;

21 (3) contact information for the business concern, including, but
22 not limited to, a valid phone number and email address; and

23 (4) a statement by the business concern that it is actively
24 engaged in soil and fill recycling services at the time of registration.

25 b. A business concern shall submit the information required
26 pursuant to subsection a. of this section on a registration form
27 prescribed by the department. The business concern shall certify to
28 the truth and accuracy of the information provided in the
29 registration form.

30 c. No more than 90 days after submission of a registration form
31 pursuant to this section, the department shall issue a soil and fill
32 recycling registration to the business concern. Issuance of a soil and
33 fill recycling registration pursuant to this section shall not preclude
34 the department or the Attorney General from subsequently denying
35 a soil and fill recycling license to the registrant.

36 d. No more than **[270]** 30 days after the **[effective date of]**
37 department adopts, pursuant to the “Administrative Procedure Act,”
38 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
39 implementing P.L.2019, c.397 (C.13:1E-127.1 et al.), a registrant
40 shall submit a valid and administratively complete application for a
41 soil and fill recycling license with the Attorney General.

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 underlined thus is new matter.

1 Registrants may request a 90-day extension to file a soil and fill
2 recycling license application pursuant to this section, and the
3 Attorney General may grant the request upon a showing of good
4 cause.

5 e. A soil and fill recycling registration issued pursuant to this
6 section shall automatically expire and become invalid upon: (1)
7 failure by the registrant to submit a valid and administratively
8 complete application for a soil and fill recycling license within the
9 required timeframe; or (2) a final determination by the department
10 or the Attorney General regarding the registrant's application for a
11 soil and fill recycling license.

12 f. A soil and fill recycling registration issued pursuant to this
13 section is non-transferable and shall temporarily authorize the
14 registrant to provide soil and fill recycling services pending the
15 approval or denial of the registrant's application for a soil and fill
16 recycling license.

17 g. Any business concern that seeks to engage in soil and fill
18 recycling services **【**later than 90 days after the effective date of this
19 **act】** after July 14, 2022 that has not submitted a registration form
20 pursuant to subsection a. of this section shall file an application for
21 a soil and fill recycling license with the Attorney General.

22 h. As used in this section, "registrant" means any person who
23 applies for and is issued a soil and fill recycling registration
24 pursuant to this section.

25 (cf: P.L.2019, c.397, s.1)

26

27 2. Section 13 of P.L.2019, c.397 (C.13:1E-135.1) is amended
28 to read as follows:

29 13. a. The department shall establish application and license fees,
30 annual fees, and any other fees the department determines necessary
31 to defray the costs of administration, for any license or soil and fill
32 recycling license issued pursuant to P.L.1983, c.392 (C.13:1E-126
33 et seq.), or the soil and fill recycling registration issued pursuant to
34 section 1 of P.L.2019, c.397 (C.13:1E-127.1). The fees shall be
35 used to pay costs related to consideration of license and soil and fill
36 recycling license applications, investigations, monitoring,
37 enforcement, and related activities, and to reimburse any State
38 agency for expenses incurred by the agency in the performance of
39 pre-licensing investigations, post-licensing compliance monitoring,
40 or any other related activities consistent with the provisions of
41 P.L.1983, c.392 (C.13:1E-126 et seq.). Annual fees shall be
42 assessed on licensees and the holders of soil and fill recycling
43 licenses based on a percentage their gross operating revenue from
44 intrastate operations during the preceding calendar year. Fees
45 collected under this section shall be deposited into a special
46 account, to be administered by the department, and shall be used
47 only for the costs associated with administering the provisions of
48 P.L.1983, c.392 (C.13:1E-126 et seq.).

1 b. The department **【may】 shall**, pursuant to the "Administrative
2 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) and no later
3 than one year after the effective date of P.L. , c. (C.)
4 (pending before the Legislature as this bill), adopt rules and
5 regulations to effectuate monitoring and enforcement of P.L.1983,
6 c.392 (C.13:1E-126 et seq.) and P.L.2019, c.397 (C.13:1E-127.1 et
7 al.).

8 c. The department shall prepare and submit, pursuant to section
9 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature an annual
10 report on the establishment and implementation of the fee schedule
11 adopted pursuant to this section.

12 (cf: P.L.2019, c.397, s.13)

13

14 3. This act shall take effect immediately.

15

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17

STATEMENT

18

19 This bill would extend certain deadlines in P.L.2019, c.397
20 (C.13:1E-127.1 et al.), which, among other things, requires any
21 business concern that actively engages in, or otherwise provides,
22 soil and fill recycling services to register with the Department of
23 Environmental Protection (DEP) no later than April 20, 2020. The
24 bill would also make other clarifying changes to P.L.2019, c.397
25 (C.13:1E-127.1 et al.) and would require the DEP to adopt rules and
26 regulations to implement that law.

27 Specifically, the bill would extend the original April 20, 2020
28 registration date to July 14, 2022. The bill would also require any
29 person that registers with the DEP pursuant to P.L.2019, c.397
30 (C.13:1E-127.1 et al.) to apply to the Attorney General for a soil
31 and fill recycling license no later than 30 days after the DEP adopts
32 rules and regulations to implement the law, rather than by October
33 17, 2020, as in current law.

34 The bill would also clarify certain language in section 1 of
35 P.L.2019, c.397 (C.13:1E-127.1) regarding the Attorney General's
36 responsibility for issuing a soil and fill recycling license pursuant to
37 section 8 of P.L.1983, c.392 (C.13:1E-133). Finally, the bill would
38 require the DEP to adopt rules and regulations to implement
39 P.L.2019, c.397 (C.13:1E-127.1 et al.) no later than one year after
40 the bill's enactment.

41

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45 Revises law requiring registration with DEP of certain entities
46 engaged in soil and fill recycling services.

ASSEMBLY, No. 4255

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 9, 2022

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman SHAMA A. HAIDER

District 37 (Bergen)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Co-Sponsored by:

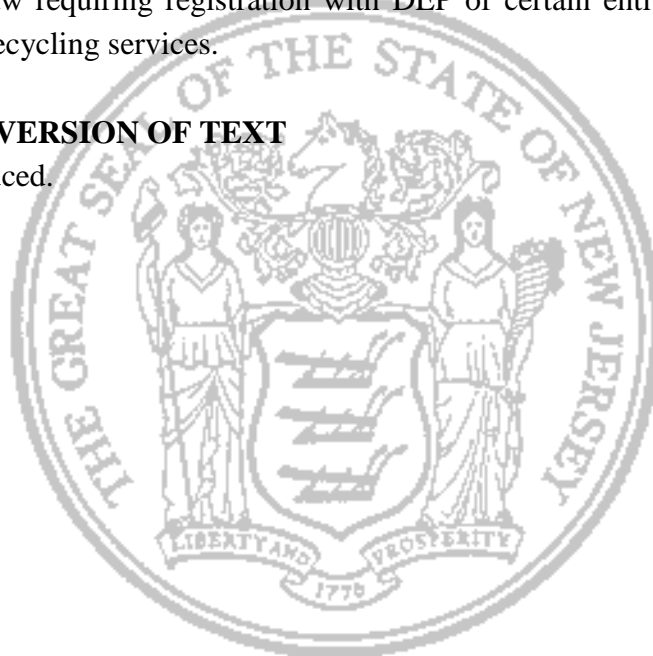
Assemblywoman Park and Senator Pou

SYNOPSIS

Revises law requiring registration with DEP of certain entities engaged in soil and fill recycling services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning certain soil and fill recycling services and
2 amending P.L.2019, c.397.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.2019, c.397 (C.13:1E-127.1) is amended to
8 read as follows:

9 1. a. No later than **[90 days after the effective date of P.L.2019,**
10 **c.397 (C.13:1E-127.1 et al.)]** July 14, 2022, any business concern
11 that is not already a licensee pursuant to **[P.L.1991, c.269]**
12 P.L.1983, c.392 (C.13:1E-126 et seq.), and that actively engages in,
13 or otherwise provides, soil and fill recycling services shall register
14 with the department. The registration shall include, but need not be
15 limited to:

16 (1) the name of the business concern and its New Jersey
17 corporate filing number;

18 (2) the address of the business concern and the addresses of any
19 other locations where trucks or equipment used by the business
20 concern are kept;

21 (3) contact information for the business concern, including, but
22 not limited to, a valid phone number and email address; and

23 (4) a statement by the business concern that it is actively
24 engaged in soil and fill recycling services at the time of registration.

25 b. A business concern shall submit the information required
26 pursuant to subsection a. of this section on a registration form
27 prescribed by the department. The business concern shall certify to
28 the truth and accuracy of the information provided in the
29 registration form.

30 c. No more than 90 days after submission of a registration form
31 pursuant to this section, the department shall issue a soil and fill
32 recycling registration to the business concern. Issuance of a soil and
33 fill recycling registration pursuant to this section shall not preclude
34 the department or the Attorney General from subsequently denying
35 a soil and fill recycling license to the registrant.

36 d. No more than **[270]** 30 days after the **[effective date of]**
37 department adopts, pursuant to the “Administrative Procedure Act,”
38 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
39 implementing P.L.2019, c.397 (C.13:1E-127.1 et al.), a registrant
40 shall submit a valid and administratively complete application for a
41 soil and fill recycling license with the Attorney General.
42 Registrants may request a 90-day extension to file a soil and fill
43 recycling license application pursuant to this section, and the
44 Attorney General may grant the request upon a showing of good
45 cause.

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 underlined thus is new matter.

1 e. A soil and fill recycling registration issued pursuant to this
2 section shall automatically expire and become invalid upon: (1)
3 failure by the registrant to submit a valid and administratively
4 complete application for a soil and fill recycling license within the
5 required timeframe; or (2) a final determination by the department
6 or the Attorney General regarding the registrant's application for a
7 soil and fill recycling license.

8 f. A soil and fill recycling registration issued pursuant to this
9 section is non-transferable and shall temporarily authorize the
10 registrant to provide soil and fill recycling services pending the
11 approval or denial of the registrant's application for a soil and fill
12 recycling license.

13 g. Any business concern that seeks to engage in soil and fill
14 recycling services **【later than 90 days after the effective date of this**
15 **act】** after July 14, 2022 that has not submitted a registration form
16 pursuant to subsection a. of this section shall file an application for
17 a soil and fill recycling license with the Attorney General.

18 h. As used in this section, "registrant" means any person who
19 applies for and is issued a soil and fill recycling registration
20 pursuant to this section.

21 (cf: P.L.2019, c.397, s.1)

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23 2. Section 13 of P.L.2019, c.397 (C.13:1E-135.1) is amended
24 to read as follows:

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26 annual fees, and any other fees the department determines necessary
27 to defray the costs of administration, for any license or soil and fill
28 recycling license issued pursuant to P.L.1983, c.392 (C.13:1E-126
29 et seq.), or the soil and fill recycling registration issued pursuant to
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46 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) and no later
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10 3. This act shall take effect immediately.

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13 STATEMENT

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15 This bill would extend certain deadlines in P.L.2019, c.397
16 (C.13:1E-127.1 et al.), which, among other things, requires any
17 business concern that actively engages in, or otherwise provides,
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19 Environmental Protection (DEP) no later than April 20, 2020. The
20 bill would also make other clarifying changes to P.L.2019, c.397
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34 require the DEP to adopt rules and regulations to implement
35 P.L.2019, c.397 (C.13:1E-127.1 et al.) no later than one year after
36 the bill's enactment.

ASSEMBLY SPECIAL COMMITTEE ON INFRASTRUCTURE
AND NATURAL RESOURCES

STATEMENT TO

ASSEMBLY, No. 4255

STATE OF NEW JERSEY

DATED: JUNE 13, 2022

The Assembly Special Committee on Infrastructure and Natural Resources reports favorably Assembly Bill No. 4255.

This bill would extend certain deadlines in P.L.2019, c.397 (C.13:1E-127.1 et al.), which, among other things, requires any business concern that actively engages in, or otherwise provides, soil and fill recycling services to register with the Department of Environmental Protection (DEP) no later than April 20, 2020. The bill would also make other clarifying changes to P.L.2019, c.397 (C.13:1E-127.1 et al.) and would require the DEP to adopt rules and regulations to implement that law.

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SENATE, No. 2870

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 16, 2022

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Revises law requiring registration with DEP of certain entities engaged in soil and fill recycling services.

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22 not limited to, a valid phone number and email address; and

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24 engaged in soil and fill recycling services at the time of registration.

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26 pursuant to subsection a. of this section on a registration form
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14 recycling services **【later than 90 days after the effective date of this**
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17 a soil and fill recycling license with the Attorney General.

18 h. As used in this section, "registrant" means any person who
19 applies for and is issued a soil and fill recycling registration
20 pursuant to this section.

21 (cf: P.L.2019, c.397, s.1)

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25 13. a. The department shall establish application and license
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28 soil and fill recycling license issued pursuant to P.L.1983, c.392
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30 issued pursuant to section 1 of P.L.2019, c.397 (C.13:1E-127.1).
31 The fees shall be used to pay costs related to consideration of
32 license and soil and fill recycling license applications,
33 investigations, monitoring, enforcement, and related activities, and
34 to reimburse any State agency for expenses incurred by the agency
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36 compliance monitoring, or any other related activities consistent
37 with the provisions of P.L.1983, c.392 (C.13:1E-126 et seq.).
38 Annual fees shall be assessed on licensees and the holders of soil
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42 into a special account, to be administered by the department, and
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3 al.).

4 c. The department shall prepare and submit, pursuant to section
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6 report on the establishment and implementation of the fee schedule
7 adopted pursuant to this section.
8 (cf: P.L.2019, c.397, s.13)

9
10 3. This act shall take effect immediately.

11

12

13

STATEMENT

14

15 This bill would extend certain deadlines in P.L.2019, c.397
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33 section 8 of P.L.1983, c.392 (C.13:1E-133). Finally, the bill would
34 require the DEP to adopt rules and regulations to implement
35 P.L.2019, c.397 (C.13:1E-127.1 et al.) no later than one year after
36 the bill's enactment.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 2870

STATE OF NEW JERSEY

DATED: JUNE 16, 2022

The Senate Environment and Energy Committee favorably reports Senate Bill No. 2870.

This bill would extend certain deadlines in P.L.2019, c.397 (C.13:1E-127.1 et al.), which, among other things, requires any business concern that actively engages in, or otherwise provides, soil and fill recycling services to register with the Department of Environmental Protection (DEP) no later than April 20, 2020. The bill would also make other clarifying changes to P.L.2019, c.397 (C.13:1E-127.1 et al.) and would require the DEP to adopt rules and regulations to implement that law.

Specifically, the bill would extend the original April 20, 2020 registration date to July 14, 2022. The bill would also require any person that registers with the DEP pursuant to P.L.2019, c.397 (C.13:1E-127.1 et al.) to apply to the Attorney General for a soil and fill recycling license no later than 30 days after the DEP adopts rules and regulations to implement the law, rather than by October 17, 2020, as is provided in current law.

The bill would also clarify certain language in section 1 of P.L.2019, c.397 (C.13:1E-127.1), regarding the Attorney General's responsibility for issuing a soil and fill recycling license pursuant to section 8 of P.L.1983, c.392 (C.13:1E-133). Finally, the bill would require the DEP to adopt rules and regulations to implement P.L.2019, c.397 (C.13:1E-127.1 et al.) no later than one year after the bill's enactment.

Governor Murphy Takes Action on Legislation

07/5/2022

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

A-1455wGR/S-1596 (Lopez, Dancer, DeAngelo/Beach) - Permits county clerk or register of deeds and mortgages to issue identification card to Gold Star Family member

ACS for A-3196/S-2349 (Caputo, Lampitt, Jasey, Jaffer/Turner, Diegnan) - Requires State Board of Education to administer New Jersey Graduation Proficiency Assessment as field test for class of 2023

A-4091/S-2729 (Swain, Conaway/Lagana, Singleton) - Makes County Option Hospital Fee Pilot Program permanent and expands definition of “participating county” under program

A-4214/S-2770 (Jaffer, Moen, Wimberly, Benson/Zwicker, Singleton) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for transportation infrastructure projects for FY2023; makes appropriation

A-4222/S-2796 (Freiman, Egan, Calabrese/Gopal, Lagana) - Expands working hours for minors; updates process for obtaining working papers for minors

A-4255/S-2870 (McKeon, Haider, Kennedy/Smith, Codey) - Revises law requiring registration with DEP of certain entities engaged in soil and fill recycling services