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RWH 3/12/08

P.L. 2006, CHAPTER 90, *approved August 21, 2006*
Senate, No. 1617 (*First Reprint*)

1 AN ACT concerning water use registration fees, and amending
2 P.L.1981, c.262.

3

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

6

7 1. Section 11 of P.L.1981, c.262 (C.58:1A-11) is amended to
8 read as follows:

9 11. a. The department shall in accordance with a fee schedule
10 adopted by rule and regulation, establish and charge reasonable
11 administrative fees, which fees shall be based upon, and not exceed,
12 the estimated cost of processing, monitoring, administering and
13 enforcing the diversion permits issued by the department pursuant
14 to the provisions of sections 6 and 7 of P.L.1981, c.262 (C.58:1A-6
15 and 58:1A-7) ¹or section 39 of P.L.2004, c.120 (C.58:1A-5.1)¹.

16 Any person who is required to apply for and obtain a water use
17 registration pursuant to rules and regulations adopted by the
18 department to administer and enforce the provisions of P.L.1981,
19 c.262 (C.58:1A-1 et seq.) ¹**[or],¹ P.L.1993, c.202 (C.58:1A-7.3 et**
20 al.) ¹or P.L.2004, c.120 (C.13:20-1 et al.)¹ shall, in conjunction
21 with a completed registration form, submit an initial registration fee
22 ¹**[of \$400.00]**¹.

23 Each person who holds a valid water use registration shall pay an
24 annual renewal fee ¹**[of \$200.00]**¹.

25 An annual renewal fee shall not be charged for a volunteer fire
26 company created pursuant to N.J.S.40A:14-70.1 ¹**[for water use**
27 from a well with a capacity of more than 100,000 gallons per day]¹.

28 b. The department shall deposit the fees in the "Environmental
29 Services Fund" created by P.L.1975, c.232 (C.13:1D-30 et seq.).
30 There shall be annually appropriated an amount equivalent to the
31 amount anticipated to be collected as fees by the department for the
32 administration of the water supply management program.

33 (cf: P.L.1981, c.262, s.11)

34

35 2. This act shall take effect immediately.

36

37

38

39

40 Exempts volunteer fire companies from water use registration
41 renewal fees.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted May 8, 2006.

SENATE, No. 1617

STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED MARCH 6, 2006

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Exempts volunteer fire companies from water use registration renewal fees.

CURRENT VERSION OF TEXT

As introduced.



S1617 SWEENEY

2

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19 c.262 (C.58:1A-1 et seq.) or P.L.1993, c.202 (C.58:1A-7.3 et al.)
20 shall, in conjunction with a completed registration form, submit an
21 initial registration fee of \$400.00.

22 Each person who holds a valid water use registration shall pay an
23 annual renewal fee of \$200.00.

24 An annual renewal fee shall not be charged for a volunteer fire
25 company created pursuant to N.J.S.40A:14-70.1 for water use from
26 a well with a capacity of more than 100,000 gallons per day.

27 b. The department shall deposit the fees in the "Environmental
28 Services Fund" created by P.L.1975, c.232 (C.13:1D-30 et seq.).
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30 amount anticipated to be collected as fees by the department for the
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STATEMENT

38

39 This bill would exempt volunteer fire companies from annual
40 renewal fees for water use registration.

41 Any person who diverts more than 100,000 gallons per day of
42 water is required to obtain a permit from the Department of
43 Environmental Protection (DEP). The fee schedule for water
44 allocation (diversion) permits are based on the volume and amount
45 of water diverted and provide the DEP with the funds to administer

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.

S1617 SWEENEY

3

1 and enforce the provisions of the “Water Supply Management Act,”
2 P.L.1981, c.262 (C.58:1A-1 et seq.).

3 Certain small-scale water users are required to apply for and
4 obtain a water use registration pursuant to rules and regulations
5 adopted by the DEP pursuant to P.L.1981, c.262. Under the water
6 use registration fee schedule, these water users must pay an initial
7 registration fee of \$400.00 and an annual renewal fee of \$200.

8 This bill would exempt voluntary fire companies from the annual
9 renewal fee.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 1617

STATE OF NEW JERSEY

DATED: JUNE 1, 2006

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 1617 (1R).

This bill exempts volunteer fire companies from annual renewal fees for water use registration.

Any person who diverts more than 100,000 gallons per day of water is required to obtain a permit from the Department of Environmental Protection (DEP). In the Highlands preservation area, any person who diverts more than 50,000 gallons per day of waters of the Highlands is required to obtain a diversion permit from the DEP. The fee schedule for water allocation (diversion) permits is based on the volume and amount of water diverted and provide the DEP with the funds to administer and enforce the provisions of the "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.).

Certain small-scale water users are required to apply for and obtain a water use registration pursuant to rules and regulations adopted by the DEP pursuant to P.L.1981, c.262. Under the current water use registration fee schedule, these water users must pay an initial registration fee of \$400 and an annual renewal fee of \$200.

As reported by the committee, this bill is identical to Assembly Bill No. 2748 as amended and reported by the committee.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 1617

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 8, 2006

The Senate Environment Committee favorably reports Senate Bill No. 1617 with committee amendments.

This bill exempts volunteer fire companies from annual renewal fees for water use registration.

Any person who diverts more than 100,000 gallons per day of water is required to obtain a permit from the Department of Environmental Protection (DEP). In the Highlands preservation area, any person who diverts more than 50,000 gallons per day of waters of the Highlands is required to obtain a diversion permit from the DEP. The fee schedule for water allocation (diversion) permits are based on the volume and amount of water diverted and provide the DEP with the funds to administer and enforce the provisions of the "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.).

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The committee amendments delete these amounts from the bill, thereby retaining the authority of the DEP to set the fees by regulation rather than by statutory mandate.

The committee amendments also make reference to the permit system established by the DEP under the "Highlands Water Protection and Planning Act," P.L.2004, c.120 (C.13:20-1 et al.).

ASSEMBLY, No. 2748

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MARCH 2, 2006

Sponsored by:

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Exempts volunteer fire companies from water use registration renewal fees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/7/2006)

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25 company created pursuant to N.J.S.40A:14-70.1 for water use from
26 a well with a capacity of more than 100,000 gallons per day.

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A2748 FISHER, BURZICHELLI

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7 registration fee of \$400.00 and an annual renewal fee of \$200.

8 This bill would exempt voluntary fire companies from the annual
9 renewal fee.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2748

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2006

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 2748.

As amended, this bill exempts volunteer fire companies from annual renewal fees for water use registration.

Any person who diverts more than 100,000 gallons per day of water is required to obtain a permit from the Department of Environmental Protection (DEP). In the Highlands preservation area, any person who diverts more than 50,000 gallons per day of waters of the Highlands is required to obtain a diversion permit from the DEP. The fee schedule for water allocation (diversion) permits is based on the volume and amount of water diverted and provide the DEP with the funds to administer and enforce the provisions of the "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.).

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As amended by the committee, this bill is identical to Senate Bill No. 1617 (1R).

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

1) delete the water registration fee amounts, thereby retaining the authority of the DEP to set the fees by regulation rather than by statutory mandate; and

2) make reference to the permit system established by the DEP under the "Highlands Water Protection and Planning Act," P.L.2004, c.120 (C.13:20-1 et al.).