

48:13A-6.1

LEGISLATIVE HISTORY CHECKLIST

(Sanitary landfills--prohibit operation of private operations prior to tariff approval by Board of Public Utilities)

NJSA 48:13A-6.1

LAWS 1981

CHAPTER 221

Bill No. A1720

Sponsor(s) Herman and Stewart

Date Introduced May 19, 1980

Committee: Assembly Agriculture and Environment

Senate Energy and Environment

Amended during passage Yes

~~No~~ Amendments during passage denoted by asterisks.

Date of Passage: Assembly June 23, 1980

Senate Feb. 26, 1981

Date of approval July 20, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

(Below) Also attached: Senate amendment, adopted 9-81 (with statement)

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

Sponsors' statement:

This bill would prohibit the operation of any sanitary landfill before a tariff with respect to its operation has been approved by the Board of Public Utilities, notwithstanding that an appeal filed to review a denial therefore is pending.

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7-20-81

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ASSEMBLY, No. 1720**STATE OF NEW JERSEY**

INTRODUCED MAY 19, 1980

By Assemblymen HERMAN and STEWART

Referred to Committee on Agriculture and Environment

AN ACT concerning the disposal of solid waste and supplementing the "Solid Waste Utility Control Act of 1970," approved May 6, 1970 (P. L. 1970, c. 40, C. 48:13A-1 et seq.).

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

1 1. Notwithstanding the provision of any other law, rule or regula-
2 tion to the contrary, no sanitary landfill facility shall commence or
3 continue operation unless a tariff therefor has been filed and ap-
4 proved by the Board of Public Utilities pursuant to the "Solid
5 Waste Utility Control Act of 1970," (P. L. 1970, c. 40, C. 48:13A-1
6 et seq.). **No sanitary landfill facility shall operate under any con-*
7 *ditions contrary to those specifically set forth in its approved*
8 *tariff.**

9 ***This act shall not apply to sanitary landfill facilities operated*
10 *by an authority created under P. L. 1946, c. 138 (C. 40:14A-1 et seq.)*
11 *or P. L. 1957, c. 183 (C. 40:14B-1 et seq.).***

1 2. This act shall take effect immediately.

**ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 1720

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 22, 1980

This bill, as amended by the committee, prohibits a sanitary landfill from operating outside the conditions of its tariff. That tariff must be approved, not on appeal or under consideration. The bill addresses those situations where landfills continue to operate while their requests for new tariffs are being reviewed, or revocation or denial of their tariffs are being appealed.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1720

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STATE OF NEW JERSEY

DATED: NOVEMBER 24, 1980

This bill would prohibit a sanitary landfill from operating under any condition contrary to those specified in its approved tariff. This prohibition would, for example, preclude an operator from changing his hours of operation from those specified in the tariff, until that change has been approved by the Board of Public Utilities, notwithstanding that the tariff is the subject of an administrative or judicial appeal, or that an application for a new or amended tariff has been filed.

SENATE COMMITTEE AMENDMENT TO
ASSEMBLY, No. 1720
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED FEBRUARY 9, 1981

Amend page 1, section 1, after line 8, insert the following:

“This act shall not apply to sanitary landfill facilities operated by an authority created under P. L. 1946, c. 138 (C. 40:14A-1 et seq.) or P. L. 1957, c. 183 (C. 40:14B-1 et seq.).”

STATEMENT

This amendment makes clear that sanitary landfill facilities operated by municipal and county sewerage or utilities authorities are exempt from the provisions of the act because those authorities are not subject to the jurisdiction of the Board of Public Utilities.