

SENATE, No. 1586

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2000

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator JOSEPH A. PALAIA

District 11 (Monmouth)

SYNOPSIS

Authorizes Monmouth County Board of Freeholders to establish by resolution a "waste management services tax."

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT authorizing as a pilot program the imposition of a "waste
2 management services tax" by the Monmouth County Board of
3 Freeholders and supplementing chapter 1E of Title 13 of the
4 Revised Statutes

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

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9 1. The Legislature finds and declares that the proper management
10 of solid waste is in the public interest and that the health, safety and
11 welfare of the people of this State require safe, reliable, efficient and
12 reasonable solid waste management services.

13 The Legislature further finds and declares that it is imperative that
14 the State take appropriate action to authorize counties to implement
15 measures which enable counties to continue to fund the
16 implementation of comprehensive solid waste management plans in a
17 manner which assures accountability to residents and businesses.

18 The Legislature further finds and declares that while counties may
19 fund the costs associated with the implementation of a solid waste
20 management plan through the county purposes tax, it is in the public
21 interest to more precisely identify funds designated for the
22 implementation of a solid waste management plan. One method of
23 identifying such funds is through the adoption of a county wide tax to
24 offset the expenses of a solid waste management plan. However, since
25 the imposition of a new tax generally is not favored as a remedy to
26 solid waste disposal problems, it is appropriate that the Legislature
27 study the efficacy of this solution in one county before approving it as
28 a Statewide solution. Therefore, it is in the public interest to allow the
29 governing body of Monmouth County, as a pilot program, to impose
30 a "waste management services tax" and have that governing body
31 report back to the Legislature as to whether such a county tax is in the
32 best interests of the county residents.

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34 2. The governing body of Monmouth County may, by resolution,
35 establish a "waste management services tax," which shall be assessed
36 and collected in the same manner as the county purposes tax on real
37 property, and which shall appear and be identified as a separate county
38 line item on the property tax bills. Monies collected from this tax shall
39 be used exclusively to fund solid waste management programs,
40 services and activities in Monmouth County.

41 Notwithstanding the provision of any other law to the contrary,
42 Monmouth County debt obligations that were issued for solid waste
43 management purposes and which were previously deductible from the
44 calculation of gross debt of the county for debt limitation purposes
45 because it was debt issued for a self-liquidating purpose pursuant to
46 N.J.S.40A:2-44 shall continue to be deductible notwithstanding that

1 the county may fund solid waste management costs with a "waste
2 management services tax."

3 Notwithstanding the provisions of section 3 of P.L.1976, c.68
4 (C:40A:4-45.3), increases to the Monmouth County budget in order
5 to pay for solid waste management costs which were previously
6 funded by tipping fees prior to the loss of flow control shall be exempt
7 from budget cap requirements under applicable law.

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9 3. The governing body of Monmouth County shall file a report
10 with the Governor and the Legislature not later than two years
11 following the adoption of the resolution establishing a "waste
12 management services tax." The report shall detail the effects of the
13 "waste management services tax" on the tipping fees for the county
14 landfill and on the property tax burden of the average county taxpayer.

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16 4. This act shall take effect immediately.

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STATEMENT

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21 This bill would authorize as a pilot program the imposition of a
22 "waste management services tax" in Monmouth county to be used
23 exclusively to fund solid waste management programs, services and
24 activities in the county. This pilot program was requested by the
25 Monmouth County Board of Freeholders following lengthy discussions
26 between the board and the county's municipalities about the county's
27 solid waste needs.

28 Under the terms of the bill, the Monmouth County Board of
29 Freeholders would be authorized to establish, by resolution, a "waste
30 management services tax," to be assessed and collected in the same
31 manner as the county purposes tax on real property. The "waste
32 management services tax" would appear and be identified as a separate
33 county line item on the property tax bills.

34 The Board of Freeholders of Monmouth County would be required
35 to file a report with the Governor and the Legislature not later than
36 two years following the adoption of the resolution establishing a
37 "waste management services tax." The report would address the
38 effects of the "waste management services tax" on the tipping fees for
39 the county landfill and on the property tax burden of the average
40 county taxpayer.