

[First Reprint]

SENATE, No. 1586

STATE OF NEW JERSEY
209th LEGISLATURE

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Sponsored by:

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District 12 (Monmouth)

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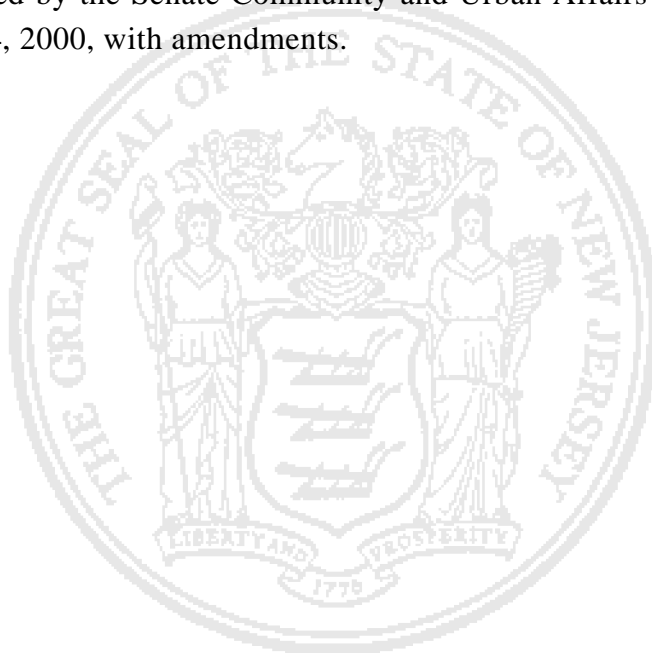
District 11 (Monmouth)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Community and Urban Affairs Committee on December 14, 2000, with amendments.



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:

8
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.

33
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

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCU committee amendments adopted December 14, 2000.

1 management purposes and which were previously deductible from the
2 calculation of gross debt of the county for debt limitation purposes
3 because it was debt issued for a self-liquidating purpose pursuant to
4 N.J.S.40A:2-44 shall continue to be deductible notwithstanding that
5 the county may fund solid waste management costs with a "waste
6 management services tax."

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

12

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

19

20 4. This act shall take effect immediately ¹and shall expire at the end
21 of the third year next following enactment¹.