

## CHAPTER 348

AN ACT concerning county budget cap exceptions and supplementing chapter 4 of Title 40A of the New Jersey Statutes.

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

1. The Legislature finds and declares:

The proper management of solid waste is essential to the health, safety and welfare of the people of this State and it is in the public interest to assure safe, reliable, efficient and reasonably priced solid waste management services.

It is imperative that the State take appropriate action to authorize counties to implement measures which enable counties to continue to fund the implementation of comprehensive solid waste management plans in a manner which assures accountability to residents and businesses.

Due to the change in solid waste flow rules in 1997, many county solid waste operations were forced to reduce tipping fees in order to remain competitive with solid waste facilities located outside the State of New Jersey. These reductions in tipping fees have resulted in a loss of revenues to these county solid waste operations, with the potential to cause operational funding shortfalls.

Therefore, it is a matter of good public policy to address the issue of potential operational funding shortfalls by providing a means by which county governments can address the issue of funding shortfalls while maintaining stability in the county budget by permitting counties to fund the shortfalls through the county general fund with funds not subject to budget cap limits.

C.40A:4-45.4b Budget cap exception for solid waste reclamation utility.

2. Notwithstanding the provisions of section 4 of P.L.1976, c.68 (C.40A:4-45.4) to the contrary, amounts appropriated in a county budget pursuant to N.J.S.40A:4-35 related to the operation of a county solid waste reclamation utility shall not be subject to limits on increases in the county tax levy in any budget year.

3. This act shall take effect immediately and shall be retroactive to January 1, 2001.

Approved January 6, 2002.