

ASSEMBLY, No. 369

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

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District 30 (Monmouth and Ocean)

SYNOPSIS

Designates Earth Day week each year as Litter Law Enforcement Week for special effort to enforce littering laws.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the enforcement of littering laws, designating
2 Earth Day week each year as Litter Law Enforcement Week, and
3 supplementing Title 13 of the Revised Statutes.

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

7
8 1. The week in which Earth Day, April 22nd, in each year
9 occurs, is hereby designated as Litter Law Enforcement Week in
10 New Jersey.

11
12 2. a. During Litter Law Enforcement Week each year, the
13 Department of Environmental Protection and the New Jersey State
14 Police shall make enforcement of the State's litter laws a priority
15 unless they are unable to do so due to an emergency or crisis. In
16 particular, during the course of Litter Law Enforcement Week, the
17 department and the State Police shall increase, to the greatest extent
18 possible, enforcement efforts with regard to the following
19 provisions of law:

- 20 (1) section 6 of P.L.1999, c.90 (C.2C:36-6.1);
21 (2) R.S.12:4-10 and R.S.12:4-11;
22 (3) section 9 of P.L.1995, c.401 (C.12:7-78);
23 (4) section 9 of P.L.1970, c.39 (C.13:1E-9);
24 (5) sections 2 and 3 of P.L.1989, c.118 (C.13:1E-9.3 and
25 C.13:1E-9.4);
26 (6) section 20 of P.L.1989, c.34 (C.13:1E-48.20);
27 (7) section 8 of P.L.1985, c.533 (C.13:1E-99.3);
28 (8) sections 10 and 23 of P.L.1983, c.324 (C.13:1L-10 and
29 C.13:1L-23);
30 (9) sections 4 and 9 of P.L.1970, c.272 (C.13:9A-4 and
31 C.13:9A-9);
32 (10) sections 17 and 21 of P.L.1987, c.156 (C.13:9B-17 and
33 C.13:9B-21);
34 (11) section 23 of P.L.1979, c.111 (C.13:18A-24);
35 (12) R.S.23:5-28;
36 (13) section 4 of P.L.1990, c.29 (C.23:7-1.1);
37 (14) section 1 of P.L.1954, c.38 (C.23:7-9);
38 (15) sections 1 and 2 of P.L.1964, c.64 (C.32:1-146.8 and
39 C.32:1-146.9);
40 (16) R.S.39:4-63;
41 (17) R.S.39:4-64;
42 (18) section 3 of P.L.1988, c.61 (C.58:10A-49); and
43 (19) any other littering laws enacted subsequently to this act.

44 b. The department and State Police shall encourage all
45 municipal and county law enforcement agencies and prosecutors to
46 engage in the special annual effort to enforce these laws and any
47 relevant local ordinances prohibiting littering, and shall provide

1 appropriate support to municipalities and counties electing to
2 participate in the annual effort.

3 c. The department and State Police shall publicize Litter Law
4 Enforcement Week each year to municipal and county law
5 enforcement agencies and prosecutors, and through postings made
6 available for public viewing on the Internet, informational
7 newspaper, radio, television, and other print and electronic media
8 announcements, and any other available means.

9
10 3. Notwithstanding the provisions of any law, rule, or
11 regulation to the contrary, all fines for violations of the laws listed
12 in section 2 of this act that are collected by the department or State
13 Police during Litter Law Enforcement Week in any year shall be
14 deposited in equal proportions into the following State funds:

15 a. The “Clean Communities Program Fund,” established
16 pursuant to section 5 of P.L.2002, c.128 (C.13:1E-217), to be
17 dedicated for the purposes of State litter pick-up and removal, and
18 for the purposes of enforcing litter-related laws and ordinances in
19 State-owned and public places;

20 b. The “Coastal Protection Trust Fund,” established pursuant to
21 section 4 of P.L.1993, c.168 (C.39:3-27.50), to be dedicated for the
22 purposes of implementing the provisions of the “New Jersey Adopt
23 a Beach Act,” P.L.1992, c.213 (C.13:19-22 et seq.), and for the
24 purposes of financing any program that utilizes prisoners to clean
25 up or maintain the State’s beaches; and

26 c. The “Municipal Stormwater Management and Combined
27 Sewer Overflow Abatement Assistance Fund,” established pursuant
28 to section 7 of P.L.1988, c.90 (C.58:25-29), to be dedicated for the
29 purposes of providing grants to municipalities or other public
30 entities to control or eliminate sources of litter associated with
31 stormwater infrastructure, nonpoint sources of pollution, and
32 combined sewer overflows.

33
34 4. Municipalities and counties electing to participate in Litter
35 Law Enforcement Week in any year may donate to one or more of
36 the State funds listed in section 3 of this act any or all of the fine
37 moneys collected thereby during Litter Law Enforcement Week for
38 violation of the laws listed in section 2 of this act.

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40 5. This act shall take effect immediately.

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43 STATEMENT

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45 This bill would designate the week in which Earth Day, April
46 22nd, in each year occurs, as Litter Law Enforcement Week in New
47 Jersey.

1 The bill would require the Department of Environmental
2 Protection and the New Jersey State Police to participate in Litter
3 Law Enforcement Week on an annual basis, by making enforcement
4 of the State's litter laws a priority unless they are unable to do so
5 due to an emergency or crisis. The department and the State Police
6 also would be required to encourage all municipal and county law
7 enforcement agencies and prosecutors to engage in the special
8 annual effort to enforce these laws and any relevant local
9 ordinances prohibiting littering, and to provide appropriate support
10 to the participating municipalities and counties.

11 The bill identifies a number of specific State litter laws for which
12 increased State enforcement would be required during the course of
13 Litter Law Enforcement Week. In addition, the bill would provide
14 that any fines collected by the State in relation to the enforcement
15 of such litter laws during Litter Law Enforcement Week would be
16 deposited in equal proportions into the following State funds:

- 17 (1) the "Clean Communities Program Fund";
- 18 (2) the "Coastal Protection Trust Fund"; and
- 19 (3) the "Municipal Stormwater Management and Combined
20 Sewer Overflow Abatement Assistance Fund."

21 The bill would further provide that any municipalities or counties
22 that have elected to participate in Litter Law Enforcement Week in
23 any year may donate to one or more of the above-listed State funds
24 any or all of the fine moneys collected thereby during the week for
25 violations of the laws identified in the bill.

26 Finally, the bill would dedicate all moneys deposited in the
27 specific State funds listed in the bill for use only for certain
28 specified, litter abatement-related purposes, which include:

- 29 (1) the financing of litter removal programs and litter law
30 enforcement;
- 31 (2) the implementation of the "New Jersey Adopt a Beach Act,"
32 and the financing of programs that utilize prisoners to clean
33 up or maintain the State's beaches; and
- 34 (3) the provision of grants to municipalities or other public
35 entities to control or eliminate sources of litter associated
36 with stormwater infrastructure, nonpoint sources of
37 pollution, and combined sewer overflows.