

HEARINGS:

Yes

974.90 Public hearing before Subcommittee of the Assembly Agriculture and Environment Committee on ACR-3037
R588 and SCR-3023 : (amending the Constitution to clarify the status of lands formerly flowed by mean high tide) :
1981 held July 23, 1981 ... Linwood, New Jersey.
v. 2

974.90 Public hearing before Senate Judiciary Committee and Assembly Judiciary, Law, Public Safety and Defense
R588 Committee on ACR-3037 and SCR-3023 (amending the Constitution to clarify status of lands formerly
1981 flowed by mean high tide) : held June 5, 1981 ... Trenton, New Jersey.

NEWSPAPER ARTICLES:

Yes

'Riparian lands question', *The Trenton Times*, 10/8/1981, pg 12
Mintz, John, 'Spending millions for drought guards, toxic cleanup OK'd', *The Trenton Times*, 11/4/1981, pg 13

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ASSEMBLY CONCURRENT RESOLUTION No. 3037

STATE OF NEW JERSEY

INTRODUCED MAY 4, 1981

By Assemblymen GORMLEY, MATTHEWS, EDWARDS, HERMAN, HURLEY, Assemblywoman GLUCK, Assemblymen KARCHER, DOWD, STEWART, D. GALLO, CHINNICI, JANISZEWSKI, ADUBATO, T. GALLO, VISOTCKY, BATE, MAGUIRE, CARDINALE, PAOLELLA, KOSCO, FRANKS, BASSANO, HARDWICK, ROCCO, ZANGARI, THOMPSON, SMITH, LITTELL, Assemblywoman MUHLER, Assemblymen REMINGTON, SAXTON, VILLANE, Assemblywoman GARVIN, Assemblyman FORTUNATO and Assemblywoman BURGIO

Referred to Committee on Judiciary, Law, Public Safety and Defense

A CONCURRENT RESOLUTION proposing to amend Article VIII of the Constitution of the State of New Jersey by adding a new Section V and paragraph 1 thereto.

1 BE IT RESOLVED *by the General Assembly of the State of New*
2 *Jersey (the Senate concurring):*

1 1. The following proposed amendment to the Constitution of the
2 State of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

3 Amend Article VIII by adding a new Section V, paragraph 1
4 as follows:

SECTION V

5 1. No lands that were formerly tidal flowed, but which have not
6 been tidal flowed at any time for a period of 40 years, shall be
7 deemed riparian lands, or lands subject to a riparian claim, and
8 the passage of that period shall be a good and sufficient bar to
9 any such claim, unless during that period the State has specifically
10 defined and asserted such a claim pursuant to law. This section
11 shall apply to lands which have not been tidal flowed at any time
12 during the 40 years immediately preceding adoption of this amend-
13 ment.

SCHEDULE

1 2. When this proposed amendment to the Constitution is finally
2 agreed to, pursuant to Article IX, paragraph 1 of the Constitution,

3 it shall be submitted to the people at the next general election
 4 occurring more than 3 months after such final agreement and shall
 5 be published at least once in at least one newspaper of each county
 6 designated by the President of the Senate and the Speaker of the
 7 General Assembly and the Secretary of State, not less than 3
 8 months prior to said general election.

1 3. This proposed amendment to the Constitution shall be sub-
 2 mitted to the people at said election in the following manner and
 3 form:

4 There shall be printed on each official ballot to be used at such
 5 general election, the following:

6 a. In every municipality in which voting machines are not used,
 7 a legend which shall immediately precede the question, as follows:

8 If you favor the proposition printed below make a cross (X),
 9 plus (+) or check (✓) in the square opposite the word "Yes."
 10 If you are opposed thereto make a cross (X), plus (+) or check
 11 (✓) in the square opposite the word "No."

12 b. In every municipality, the following question:

RIPARIAN LANDS	
Yes.	Do you approve the amendment to Article VIII of the Constitution adding a new Section V and paragraph 1 thereto, requiring that lands shall have been tidal flowed within the last 40 years to be deemed riparian lands subject to State claims, and barring State claims not defined and asserted by law within that period?
No.	

STATEMENT

This Concurrent Resolution would amend Article VIII of the State Constitution by adding a new Section V and paragraph 1 thereto. The amendment would state that lands formerly tidal flowed, which have not been tidal flowed for a period of 40 years, shall not be deemed riparian lands, or lands subject to a riparian claim. Under the amendment, the passage of that period of time shall be a good and sufficient bar to any State claim, unless during that time the State has specifically defined and asserted a claim pursuant to law.

ASSEMBLY COMMITTEE AMENDMENT TO
ASSEMBLY CONCURRENT RESOLUTION No. 3037

STATE OF NEW JERSEY

ADOPTED MAY 14, 1981

Amend page 1, section 1, line 13, after "ment", insert "with respect to any claim not specifically defined and asserted by the State within 1 year of the adoption of this amendment".

[OFFICIAL COPY REPRINT]

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STATE OF NEW JERSEY

INTRODUCED MAY 4, 1981

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8 the passage of that period shall be a good and sufficient bar to
9 any such claim, unless during that period the State has specifically
10 defined and asserted such a claim pursuant to law. This section
11 shall apply to lands which have not been tidal flowed at any time
12 during the 40 years immediately preceding adoption of this amend-
13 ment **with respect to any claim not specifically defined and asserted*
14 *by the State within 1 year of the adoption of this amendment*.*

SCHEDULE

1 2. When this proposed amendment to the Constitution is finally
 2 agreed to, pursuant to Article IX, paragraph 1 of the Constitution,
 3 it shall be submitted to the people at the next general election
 4 occurring more than 3 months after such final agreement and shall
 5 be published at least once in at least one newspaper of each county
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 11 (✓) in the square opposite the word "No."

12 b. In every municipality, the following question:

	Yes.	<p>RIPARIAN LANDS</p> <p>Do you approve the amendment to Article VIII of the Constitution adding a new Section V and paragraph 1 thereto, requiring that lands shall have been tidal flowed within the last 40 years to be deemed riparian lands subject to State claims, and barring State claims not defined and asserted by law within that period?</p>
	No.	