

32:20B-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2011 **CHAPTER:** 177

NJSA: 32:20B-1 (Creates bi-state commission to coordinate management and flood prevention of waterways flowing between Bergen County, NJ and Rockland County, NY)

BILL NO: S59 (Substituted for A2440)

SPONSOR(S) Cardinale and others

DATE INTRODUCED: January 12, 2010

COMMITTEE: **ASSEMBLY:** Environment and Solid Waste

SENATE: Environment and Energy

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 9, 2012

SENATE: January 9, 2012

DATE OF APPROVAL: January 17, 2012

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First reprint enacted)

S59

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A2440

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Chrisite Oks Creation of Anti-Flooding Panel, The Record, 1-20-12

LAW/KR

Title 32.
Subtitle 8.
Chapter 20B.
(New)
Rockland-Bergen
Watershed
§§1-9 –
C.32:20B-1
to 32:20B-9

P.L.2011, CHAPTER 177, *approved January 17, 2012*
Senate, No. 59 (*First Reprint*)

1 AN ACT creating the Rockland-Bergen Bistate River Commission
2 and supplementing Title 32 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. This act shall be known, and may be cited, as the “Rockland-
8 Bergen Watershed Flood Prevention and Protection Act.”

9
10 2. The Legislature finds and declares that the States of New
11 Jersey and New York and their respective citizens share a common
12 concern to protect their personal safety and property through the
13 identification and remediation of potential flood hazards along the
14 Hackensack River, Sparkill Brook/Creek, Saddle River,
15 Ramapo/Mahwah River, and their tributaries and watersheds; that
16 because the Hackensack River, Sparkill Brook/Creek, Saddle River,
17 Ramapo/Mahwah River, and their tributaries cross the interstate
18 border region, the identification and remediation of potential flood
19 hazards require a bistate comprehensive approach; that a bistate
20 comprehensive flood prevention approach will also help ensure the
21 preservation and maintenance of the environmental benefits of the
22 Hackensack River, Sparkill Brook/Creek, Saddle River,
23 Ramapo/Mahwah River, and their tributaries; that a bistate
24 approach will encourage open space preservation and recreational
25 opportunities along the Hackensack River, Sparkill Brook/Creek,
26 Saddle River, Ramapo/Mahwah River, and their tributaries; and that
27 there has been a long history of cooperation among state and local
28 governmental entities and various private organizations and
29 individuals in the vicinity of the Hackensack River, Sparkill
30 Brook/Creek, Saddle River, Ramapo/Mahwah River, and their
31 tributaries to ensure the preservation of those water bodies and
32 watersheds.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted September 23, 2010.

1 The Legislature therefore determines that there is a need to
2 endorse and formalize that bistate cooperative effort to identify and
3 remediate potential flood hazards and to protect the natural, scenic
4 and recreational opportunities of the Hackensack River, Sparkill
5 Brook/Creek, Saddle River, Ramapo/Mahwah River and their
6 tributaries; and that the creation of a bistate commission is an
7 appropriate means to accomplish these very important goals.

8
9 3. As used in this act:

10 “Bistate region” means tributaries and watersheds of the
11 Hackensack River, Sparkill Brook/Creek, Saddle River,
12 Ramapo/Mahwah River within the County of Bergen in New Jersey
13 and the County of Rockland in New York.

14 “Resident voter” means an individual registered to vote and who
15 actually votes in a district within the County of Bergen in New
16 Jersey or the County of Rockland in New York.

17
18 4. a. There is created the Rockland-Bergen Bistate River
19 Commission, which shall comprise 18 members.

20 The commission shall include 12 voting members, as follows:
21 the Commissioner of the New Jersey Department of Environmental
22 Protection, or a designee thereof, who shall serve ex officio; the
23 Commissioner of the New York Department of Environmental
24 Conservation, or a designee thereof, who shall serve ex officio; and
25 10 members of the public with a background or experience in the
26 protection, preservation, maintenance, management, or
27 enhancement of rivers or the natural, scenic, or recreational
28 resources associated therewith, ¹or with a background or experience
29 in building or engineering,¹ who are resident voters of the County
30 of Bergen in New Jersey or the County of Rockland in New York,
31 of whom one shall be appointed by the Governor of the State of
32 New Jersey, one shall be appointed by the Governor of the State of
33 New York, one shall be appointed by the President of the Senate of
34 the State of New Jersey, one shall be appointed by the Minority
35 Leader of the Senate of the State of New Jersey, one shall be
36 appointed by the Speaker of the General Assembly of the State of
37 New Jersey, one shall be appointed by the Minority Leader of the
38 General Assembly of the State of New Jersey, one shall be
39 appointed by the ¹**[Majority Leader]** President¹ of the Senate of the
40 State of New York, one shall be appointed by the Minority Leader
41 of the Senate of the State of New York, one shall be appointed by
42 the Speaker of the Assembly of the State of New York and one shall
43 be appointed by the Minority Leader of the Assembly of the State of
44 New York.

45 Additionally, the commission shall include six non-voting
46 members, as follows: the Commissioner of the New Jersey
47 Department of Transportation, or a designee thereof, who shall

1 serve ex officio; the Commissioner of the New York State
2 Department of Transportation, or a designee thereof, who shall
3 serve ex officio; the County Executive of the County of Bergen in
4 New Jersey, or a designee thereof, who shall serve ex officio; the
5 County Executive of the County of Rockland in New York, or a
6 designee thereof, who shall serve ex officio; a representative of
7 United Water, Inc.; and a representative of the United States Army
8 Corps of Engineers.

9 b. Vacancies in the appointed positions on the commission
10 shall be filled in the same manner as the original appointments were
11 made.

12 c. Members of the commission shall serve without
13 compensation, but the commission may, within the limits of funds
14 appropriated or otherwise made available to it, reimburse members
15 for actual expenses necessarily incurred in the discharge of their
16 official duties.

17 d. Members of the commission shall serve at the pleasure of the
18 relevant appointing authority.

19

20 5. a. The commission shall organize as soon as may be
21 practicable after the appointment of its members, and shall select
22 two co-chairpersons from its members, one from each state, and a
23 secretary who need not be a member.

24 b. The commission shall meet regularly as it may determine.
25 Meetings of the commission shall be at such times and places as the
26 co-chairpersons of the commission deem appropriate, but to the
27 maximum extent practicable and feasible, shall be rotated between
28 the two states on an alternating basis. Meetings held in New Jersey
29 shall be subject to the provisions and requirements of the "Senator
30 Byron M. Baer Open Public Meetings Act," P.L.1975, c.231
31 (C.10:4-6 et seq.). Meetings held in New York shall be subject to
32 the provisions and requirements of that state's open meetings law,
33 article 7 of the public officers law.

34 c. A majority of the voting membership of the commission
35 shall constitute a quorum for the transaction of commission
36 business. Action may be taken and motions and resolutions adopted
37 by the commission at any meeting thereof by the affirmative vote of
38 seven voting members of the commission.

39 d. The commission shall be entitled to call to its assistance, and
40 avail itself of the services of, such employees of the two states, or
41 any political subdivisions, instrumentalities, entities, agencies, or
42 authorities thereof, as it may require and as may be made available
43 to it for the purpose of carrying out its duties under this act. If
44 requested by the commission, the New Jersey Department of
45 Environmental Protection and the New York Department of
46 Environmental Conservation shall provide primary staff support.

- 1 e. The commission may, within the limits of funds
2 appropriated or otherwise made available to it for those purposes,
3 employ such professional, technical, and clerical staff and incur
4 such traveling and other miscellaneous expenses as it may deem
5 necessary in order to perform its duties.
6
- 7 6. The duties of the commission shall be to:
- 8 a. identify existing and projected flood hazards in the bistate
9 region;
- 10 b. recommend, propose and coordinate a comprehensive plan to
11 remediate existing and projected flood hazards in the bistate region;
- 12 c. assess present and projected development, land use, and land
13 management practices and patterns, and identify actual and
14 potential environmental threats and problems, in the bistate region,
15 and determine the effects of those practices and patterns, threats,
16 and problems upon the natural, scenic, and recreational resources of
17 the bistate region;
- 18 d. ~~['develop]~~ offer¹ recommended regulations, procedures,
19 policies, planning strategies, and model ordinances and resolutions
20 pertaining to the protection, preservation, maintenance,
21 management, and enhancement of the bistate region, which would
22 be implemented as appropriate on a voluntary basis by the
23 municipalities within the bistate region ¹, provided, however, that
24 the commission shall not adopt rules or regulations¹ ;
- 25 e. coordinate environmental cleanup, maintenance, and
26 protection efforts undertaken, for the benefit of the bistate region,
27 by the municipalities within the bistate region;
- 28 f. coordinate with the New Jersey Department of
29 Environmental Protection and the New York Department of
30 Environmental Conservation, including, but not limited to, their
31 watershed management programs, the United States Army Corps of
32 Engineers and the municipalities within the bistate region;
- 33 g. recommend appropriate state legislation and administrative
34 action pertaining to the protection, preservation, maintenance,
35 management, and enhancement of the bistate region;
- 36 h. advocate, and where appropriate, act as a coordinating,
37 distributing, or recipient agency for, federal, state, or private
38 funding of environmental cleanup, maintenance, and protection
39 projects, flood prevention projects and flood hazard remediation for
40 the bistate region, which projects may include the work of the
41 commission; and
- 42 i. take such other action as may be appropriate or necessary to
43 further the purpose of this act.
44
- 45 7. The commission shall, within 18 months after the date it
46 organizes, and annually thereafter, prepare a progress report on its
47 activities, and submit it, together with any recommendations for

1 legislation, administrative action, or action by local governments, to
2 the Governors and Legislatures of the States of New Jersey and
3 New York. For New Jersey, each such report shall be submitted to
4 the Legislature in accordance with the requirements of section 2 of
5 P.L.1991, c.164 (C.52:14-19.1).

6
7 8. The State Comptroller of New Jersey and the comptroller of
8 the state of New York are hereby authorized and empowered from
9 time to time to examine the accounts and books of the commission,
10 including its receipts, disbursements, and such other items referring
11 to its financial standing as the comptroller may deem proper and to
12 report the results of such examination to the Governors and
13 Legislatures of the States of New Jersey and New York. Such
14 report shall be submitted to the New Jersey Legislature in
15 accordance with the requirements of section 2 of P.L.1991, c.164
16 (C.52:14-19.1).

17
18 9. This act shall take effect upon enactment of substantially
19 similar legislation by the State of New York, unless the State of
20 New York has enacted such legislation prior to the date of
21 enactment of this act, in which case this act shall take effect
22 immediately.

23
24
25
26

27 Creates bistate commission to coordinate management and flood
28 prevention of waterways flowing between Bergen County, NJ and
29 Rockland County, NY.

SENATE, No. 59

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator GERALD CARDINALE

District 39 (Bergen)

Senator LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

Senators O'Toole and Gordon

SYNOPSIS

Creates bistate commission to coordinate management and flood prevention of waterways flowing between Bergen County, NJ and Rockland County, NY.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT creating the Rockland-Bergen Bistate River Commission
2 and supplementing Title 32 of the Revised Statutes.

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5 of New Jersey:

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8 Bergen Watershed Flood Prevention and Protection Act.”

9

10 2. The Legislature finds and declares that the States of New
11 Jersey and New York and their respective citizens share a common
12 concern to protect their personal safety and property through the
13 identification and remediation of potential flood hazards along the
14 Hackensack River, Sparkill Brook/Creek, Saddle River,
15 Ramapo/Mahwah River, and their tributaries and watersheds; that
16 because the Hackensack River, Sparkill Brook/Creek, Saddle River,
17 Ramapo/Mahwah River, and their tributaries cross the interstate
18 border region, the identification and remediation of potential flood
19 hazards require a bistate comprehensive approach; that a bistate
20 comprehensive flood prevention approach will also help ensure the
21 preservation and maintenance of the environmental benefits of the
22 Hackensack River, Sparkill Brook/Creek, Saddle River,
23 Ramapo/Mahwah River, and their tributaries; that a bistate
24 approach will encourage open space preservation and recreational
25 opportunities along the Hackensack River, Sparkill Brook/Creek,
26 Saddle River, Ramapo/Mahwah River, and their tributaries; and that
27 there has been a long history of cooperation among state and local
28 governmental entities and various private organizations and
29 individuals in the vicinity of the Hackensack River, Sparkill
30 Brook/Creek, Saddle River, Ramapo/Mahwah River, and their
31 tributaries to ensure the preservation of those water bodies and
32 watersheds.

33 The Legislature therefore determines that there is a need to
34 endorse and formalize that bistate cooperative effort to identify and
35 remediate potential flood hazards and to protect the natural, scenic
36 and recreational opportunities of the Hackensack River, Sparkill
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38 tributaries; and that the creation of a bistate commission is an
39 appropriate means to accomplish these very important goals.

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44 Ramapo/Mahwah River within the County of Bergen in New Jersey
45 and the County of Rockland in New York.

1 “Resident voter” means an individual registered to vote and who
2 actually votes in a district within the County of Bergen in New
3 Jersey or the County of Rockland in New York.

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5 4. a. There is created the Rockland-Bergen Bistate River
6 Commission, which shall comprise 18 members.

7 The commission shall include 12 voting members, as follows:
8 the Commissioner of the New Jersey Department of Environmental
9 Protection, or a designee thereof, who shall serve ex officio; the
10 Commissioner of the New York Department of Environmental
11 Conservation, or a designee thereof, who shall serve ex officio; and
12 10 members of the public with a background or experience in the
13 protection, preservation, maintenance, management, or
14 enhancement of rivers or the natural, scenic, or recreational
15 resources associated therewith, who are resident voters of the
16 County of Bergen in New Jersey or the County of Rockland in New
17 York, of whom one shall be appointed by the Governor of the State
18 of New Jersey, one shall be appointed by the Governor of the State
19 of New York, one shall be appointed by the President of the Senate
20 of the State of New Jersey, one shall be appointed by the Minority
21 Leader of the Senate of the State of New Jersey, one shall be
22 appointed by the Speaker of the General Assembly of the State of
23 New Jersey, one shall be appointed by the Minority Leader of the
24 General Assembly of the State of New Jersey, one shall be
25 appointed by the Majority Leader of the Senate of the State of New
26 York, one shall be appointed by the Minority Leader of the Senate
27 of the State of New York, one shall be appointed by the Speaker of
28 the Assembly of the State of New York and one shall be appointed
29 by the Minority Leader of the Assembly of the State of New York.

30 Additionally, the commission shall include six non-voting
31 members, as follows: the Commissioner of the New Jersey
32 Department of Transportation, or a designee thereof, who shall
33 serve ex officio; the Commissioner of the New York State
34 Department of Transportation, or a designee thereof, who shall
35 serve ex officio; the County Executive of the County of Bergen in
36 New Jersey, or a designee thereof, who shall serve ex officio; the
37 County Executive of the County of Rockland in New York, or a
38 designee thereof, who shall serve ex officio; a representative of
39 United Water, Inc.; and a representative of the United States Army
40 Corps of Engineers.

41 b. Vacancies in the appointed positions on the commission
42 shall be filled in the same manner as the original appointments were
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45 compensation, but the commission may, within the limits of funds
46 appropriated or otherwise made available to it, reimburse members

1 for actual expenses necessarily incurred in the discharge of their
2 official duties.

3 d. Members of the commission shall serve at the pleasure of the
4 relevant appointing authority.

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6 5. a. The commission shall organize as soon as may be
7 practicable after the appointment of its members, and shall select
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9 secretary who need not be a member.

10 b. The commission shall meet regularly as it may determine.
11 Meetings of the commission shall be at such times and places as the
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15 shall be subject to the provisions and requirements of the "Senator
16 Byron M. Baer Open Public Meetings Act," P.L.1975, c.231
17 (C.10:4-6 et seq.). Meetings held in New York shall be subject to
18 the provisions and requirements of that state's open meetings law,
19 article 7 of the public officers law.

20 c. A majority of the voting membership of the commission
21 shall constitute a quorum for the transaction of commission
22 business. Action may be taken and motions and resolutions adopted
23 by the commission at any meeting thereof by the affirmative vote of
24 seven voting members of the commission.

25 d. The commission shall be entitled to call to its assistance, and
26 avail itself of the services of, such employees of the two states, or
27 any political subdivisions, instrumentalities, entities, agencies, or
28 authorities thereof, as it may require and as may be made available
29 to it for the purpose of carrying out its duties under this act. If
30 requested by the commission, the New Jersey Department of
31 Environmental Protection and the New York Department of
32 Environmental Conservation shall provide primary staff support.

33 e. The commission may, within the limits of funds
34 appropriated or otherwise made available to it for those purposes,
35 employ such professional, technical, and clerical staff and incur
36 such traveling and other miscellaneous expenses as it may deem
37 necessary in order to perform its duties.

38

39 6. The duties of the commission shall be to:

40 a. identify existing and projected flood hazards in the bistate
41 region;

42 b. recommend, propose and coordinate a comprehensive plan to
43 remediate existing and projected flood hazards in the bistate region;

44 c. assess present and projected development, land use, and land
45 management practices and patterns, and identify actual and
46 potential environmental threats and problems, in the bistate region,
47 and determine the effects of those practices and patterns, threats,

- 1 and problems upon the natural, scenic, and recreational resources of
2 the bistate region;
- 3 d. develop recommended regulations, procedures, policies,
4 planning strategies, and model ordinances and resolutions
5 pertaining to the protection, preservation, maintenance,
6 management, and enhancement of the bistate region, which would
7 be implemented as appropriate on a voluntary basis by the
8 municipalities within the bistate region;
- 9 e. coordinate environmental cleanup, maintenance, and
10 protection efforts undertaken, for the benefit of the bistate region,
11 by the municipalities within the bistate region;
- 12 f. coordinate with the New Jersey Department of
13 Environmental Protection and the New York Department of
14 Environmental Conservation, including, but not limited to, their
15 watershed management programs, the United States Army Corps of
16 Engineers and the municipalities within the bistate region;
- 17 g. recommend appropriate state legislation and administrative
18 action pertaining to the protection, preservation, maintenance,
19 management, and enhancement of the bistate region;
- 20 h. advocate, and where appropriate, act as a coordinating,
21 distributing, or recipient agency for, federal, state, or private
22 funding of environmental cleanup, maintenance, and protection
23 projects, flood prevention projects and flood hazard remediation for
24 the bistate region, which projects may include the work of the
25 commission; and
- 26 i. take such other action as may be appropriate or necessary to
27 further the purpose of this act.

28

29 7. The commission shall, within 18 months after the date it
30 organizes, and annually thereafter, prepare a progress report on its
31 activities, and submit it, together with any recommendations for
32 legislation, administrative action, or action by local governments, to
33 the Governors and Legislatures of the States of New Jersey and
34 New York. For New Jersey, each such report shall be submitted to
35 the Legislature in accordance with the requirements of section 2 of
36 P.L.1991, c.164 (C.52:14-19.1).

37

38 8. The State Comptroller of New Jersey and the comptroller of
39 the state of New York are hereby authorized and empowered from
40 time to time to examine the accounts and books of the commission,
41 including its receipts, disbursements, and such other items referring
42 to its financial standing as the comptroller may deem proper and to
43 report the results of such examination to the Governors and
44 Legislatures of the States of New Jersey and New York. Such
45 report shall be submitted to the New Jersey Legislature in
46 accordance with the requirements of section 2 of P.L.1991, c.164
47 (C.52:14-19.1).

1 9. This act shall take effect upon enactment of substantially
2 similar legislation by the State of New York, unless the State of
3 New York has enacted such legislation prior to the date of
4 enactment of this act, in which case this act shall take effect
5 immediately.

6
7
8 STATEMENT
9

10 This bill creates an 18-member bistate commission, to be known
11 as the Rockland-Bergen Bistate River Commission, the purpose of
12 which would be to provide a means to effectively facilitate the
13 cooperation of the governments of the States of New Jersey and
14 New York to help ensure that the natural, scenic, and recreational
15 resources of the Hackensack River, Sparkill Brook/Creek, Saddle
16 River, Ramapo/Mahwah River, their tributaries and watersheds are
17 protected from despoliation due to environmental and other threats
18 from both sides of the border, so that the pristine beauty of the area
19 will be preserved and maintained for the enjoyment and recreation
20 of present and future generations, and to ensure the safety of the
21 surrounding communities from flood hazards.

22 The commission would include 12 voting members as follows:
23 the Commissioner of the NJDEP, or a designee thereof, who would
24 serve ex officio; the Commissioner of the NYDEC, or a designee
25 thereof, who would serve ex officio; and 10 members of the public
26 with a background or experience in the protection, preservation,
27 maintenance, management, or enhancement of rivers or the natural,
28 scenic, or recreational resources associated therewith, who are
29 resident voters of the County of Bergen in New Jersey or the
30 County of Rockland in New York, of whom one would be
31 appointed by the Governor of New Jersey, one would be appointed
32 by the Governor of New York, one would be appointed by the
33 President of the New Jersey State Senate, one would be appointed
34 by the Minority Leader of the New Jersey State Senate, one would
35 be appointed by the Speaker of the New Jersey General Assembly,
36 one would be appointed by the Minority Leader of the New Jersey
37 General Assembly, one would be appointed by the Majority Leader
38 of the New York State Senate, one would be appointed by the
39 Minority Leader of the New York State Senate, one would be
40 appointed by the Speaker of the New York State Assembly and one
41 would be appointed by the Minority Leader of the New York State
42 Assembly.

43 Additionally, the commission would include six non-voting
44 members, as follows: the Commissioner of the NJDOT, or a
45 designee thereof, who would serve ex officio; the Commissioner of
46 the NYDOT, or a designee thereof, who would serve ex officio; the
47 County Executive of the County of Bergen in New Jersey, or a

1 designee thereof, who would serve ex officio; the County Executive
2 of the County of Rockland in New York, or a designee thereof, who
3 would serve ex officio; a representative of United Water, Inc.; and a
4 representative of the United States Army Corps of Engineers.

5 The duties of the commission would be to:

6 (1) identify existing and projected flood hazards in the bistate
7 region;

8 (2) recommend, propose and coordinate a comprehensive plan to
9 remediate existing and projected flood hazards in the bistate region;

10 (3) assess present and projected development, land use, and land
11 management practices and patterns, and identify actual and
12 potential environmental threats and problems, in the bistate region,
13 and determine the effects of those practices and patterns, threats,
14 and problems upon the natural, scenic, and recreational resources of
15 the bistate region;

16 (4) develop recommended regulations, procedures, policies,
17 planning strategies, and model ordinances and resolutions
18 pertaining to the protection, preservation, maintenance,
19 management, and enhancement of the bistate region, which would
20 be implemented as appropriate on a voluntary basis by the
21 municipalities within the bistate region;

22 (5) coordinate environmental cleanup, maintenance, and
23 protection efforts undertaken, for the benefit of the bistate region,
24 by the municipalities within the bistate region;

25 (6) coordinate with the New Jersey Department of
26 Environmental Protection and the New York Department of
27 Environmental Conservation, including, but not limited to, their
28 watershed management programs, the United States Army Corps of
29 Engineers and the municipalities within the bistate region;

30 (7) recommend appropriate state legislation and administrative
31 action pertaining to the protection, preservation, maintenance,
32 management, and enhancement of the bistate region; and

33 (8) advocate, and when directed, act as a coordinating,
34 distributing, or recipient agency for, federal, state, or private
35 funding of environmental cleanup, maintenance, and protection
36 projects, flood prevention projects and flood hazard remediation for
37 the bistate region, which projects may include the work of the
38 commission.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 59

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 23, 2010

The Senate Environment and Energy Committee favorably reports Senate Bill No. 59 with committee amendments.

This bill, as amended by the committee, creates an 18-member bistate commission, with 12 voting and six non-voting members, to be known as the Rockland-Bergen Bistate River Commission. The purpose of the commission would be to provide a means to effectively facilitate the cooperation of the governments of the States of New Jersey and New York to help ensure that the natural, scenic, and recreational resources of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries and watersheds are protected from despoliation due to environmental and other threats from both sides of the border, so that the pristine beauty of the area will be preserved and maintained for the enjoyment and recreation of present and future generations, and to ensure the safety of the surrounding communities from flood hazards.

The commission would include 12 voting members as follows: the Commissioner of the New Jersey Department of Environmental Protection (NJDEP), or a designee thereof, who would serve ex officio; the Commissioner of the New York Department of Environmental Conservation (NYDEC), or a designee thereof, who would serve ex officio; and 10 members of the public with a background or experience in the protection, preservation, maintenance, management, or enhancement of rivers or the natural, scenic, or recreational resources associated therewith, or with a background or experience in building or engineering, who are resident voters of the County of Bergen in New Jersey or the County of Rockland in New York, of whom one would be appointed by the Governor of New Jersey, one would be appointed by the Governor of New York, one would be appointed by the President of the New Jersey State Senate, one would be appointed by the Minority Leader of the New Jersey State Senate, one would be appointed by the Speaker of the New Jersey General Assembly, one would be appointed by the Minority Leader of the New Jersey General Assembly, one would be appointed by the President of the New York State Senate, one would be appointed by the Minority Leader of the New York State Senate, one

would be appointed by the Speaker of the New York State Assembly and one would be appointed by the Minority Leader of the New York State Assembly.

In addition, the commission would include six non-voting members, as follows: the Commissioner of the New Jersey Department of Transportation, or a designee thereof, who would serve ex officio; the Commissioner of the New York Department of Transportation, or a designee thereof, who would serve ex officio; the County Executive of the County of Bergen in New Jersey, or a designee thereof, who would serve ex officio; the County Executive of the County of Rockland in New York, or a designee thereof, who would serve ex officio; a representative of United Water, Inc.; and a representative of the United States Army Corps of Engineers (USACOE).

The duties of the commission would be to:

(1) identify existing and projected flood hazards in the bistate region;

(2) recommend, propose and coordinate a comprehensive plan to remediate existing and projected flood hazards in the bistate region;

(3) assess present and projected development, land use, and land management practices and patterns, and identify actual and potential environmental threats and problems, in the bistate region, and determine the effects of those practices and patterns, threats, and problems upon the natural, scenic, and recreational resources of the bistate region;

(4) offer recommended regulations, procedures, policies, planning strategies, and model ordinances and resolutions pertaining to the protection, preservation, maintenance, management, and enhancement of the bistate region, which would be implemented as appropriate on a voluntary basis by the municipalities within the bistate region;

(5) coordinate environmental cleanup, maintenance, and protection efforts undertaken, for the benefit of the bistate region, by the municipalities within the bistate region;

(6) coordinate with the NJDEP and the NYDEC, including, but not limited to, their watershed management programs, the USACOE and the municipalities within the bistate region;

(7) recommend appropriate state legislation and administrative action pertaining to the protection, preservation, maintenance, management, and enhancement of the bistate region; and

(8) advocate, and when directed, act as a coordinating, distributing, or recipient agency, for federal, state, or private funding of environmental cleanup, maintenance, and protection projects, flood prevention projects and flood hazard remediation for the bistate region, which projects may include the work of the commission.

Substantially similar legislation was introduced in the New York State Legislature in April 2009.

The committee amendments would allow the 10 members of the public to have a background or experience in building or engineering, as an alternative to other backgrounds and experiences specified in the bill, and make a technical correction.

In addition, the committee amendments specifically provide that the commission would have no authority to adopt rules or regulations but would be able to offer, rather than develop, recommended regulations, procedures policies, planning strategies, and model ordinances and resolutions pertaining to the protection, preservation, maintenance, management, and enhancement of the bistate region, which would be implemented as appropriate on a voluntary basis by the municipalities within the bistate region.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 59

STATE OF NEW JERSEY

DATED: MARCH 7, 2011

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 59 (1R).

This bill creates an 18-member bistate commission, with 12 voting and six non-voting members, to be known as the Rockland-Bergen Bistate River Commission. The purpose of the commission would be to provide a means to effectively facilitate the cooperation of the governments of the States of New Jersey and New York to help ensure that the natural, scenic, and recreational resources of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries and watersheds are protected from despoliation due to environmental and other threats from both sides of the border, so that the pristine beauty of the area will be preserved and maintained for the enjoyment and recreation of present and future generations, and to ensure the safety of the surrounding communities from flood hazards.

The commission would include 12 voting members as follows: the Commissioner of the New Jersey Department of Environmental Protection (NJDEP), or a designee thereof, who would serve ex officio; the Commissioner of the New York Department of Environmental Conservation (NYDEC), or a designee thereof, who would serve ex officio; and 10 members of the public with a background or experience in the protection, preservation, maintenance, management, or enhancement of rivers or the natural, scenic, or recreational resources associated therewith, or with a background or experience in building or engineering, who are resident voters of the County of Bergen in New Jersey or the County of Rockland in New York, of whom one would be appointed by the Governor of New Jersey, one would be appointed by the Governor of New York, one would be appointed by the President of the New Jersey State Senate, one would be appointed by the Minority Leader of the New Jersey State Senate, one would be appointed by the Speaker of the New Jersey General Assembly, one would be appointed by the Minority Leader of the New Jersey General Assembly, one would be appointed by the President of the New York State Senate, one would be

appointed by the Minority Leader of the New York State Senate, one would be appointed by the Speaker of the New York State Assembly and one would be appointed by the Minority Leader of the New York State Assembly.

In addition, the commission would include six non-voting members, as follows: the Commissioner of the New Jersey Department of Transportation, or a designee thereof, who would serve ex officio; the Commissioner of the New York Department of Transportation, or a designee thereof, who would serve ex officio; the County Executive of the County of Bergen in New Jersey, or a designee thereof, who would serve ex officio; the County Executive of the County of Rockland in New York, or a designee thereof, who would serve ex officio; a representative of United Water, Inc.; and a representative of the United States Army Corps of Engineers (USACOE).

The duties of the commission would be to:

(1) identify existing and projected flood hazards in the bistate region;

(2) recommend, propose and coordinate a comprehensive plan to remediate existing and projected flood hazards in the bistate region;

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(4) offer recommended regulations, procedures, policies, planning strategies, and model ordinances and resolutions pertaining to the protection, preservation, maintenance, management, and enhancement of the bistate region, which would be implemented as appropriate on a voluntary basis by the municipalities within the bistate region;

(5) coordinate environmental cleanup, maintenance, and protection efforts undertaken, for the benefit of the bistate region, by the municipalities within the bistate region;

(6) coordinate with the NJDEP and the NYDEC, including, but not limited to, their watershed management programs, the USACOE and the municipalities within the bistate region;

(7) recommend appropriate state legislation and administrative action pertaining to the protection, preservation, maintenance, management, and enhancement of the bistate region; and

(8) advocate, and when directed, act as a coordinating, distributing, or recipient agency, for federal, state, or private funding of environmental cleanup, maintenance, and protection projects, flood prevention projects and flood hazard remediation for the bistate region, which projects may include the work of the commission.

Substantially similar legislation was introduced in the New York State Legislature in April 2009.

As reported by the committee, this bill is identical to Assembly Bill No. 2440 as amended and reported by the committee.

ASSEMBLY, No. 2440

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MARCH 4, 2010

Sponsored by:

Assemblywoman CHARLOTTE VANDERVALK

District 39 (Bergen)

Assemblyman ROBERT SCHROEDER

District 39 (Bergen)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman CONNIE WAGNER

District 38 (Bergen)

SYNOPSIS

Creates bistate commission to coordinate management and flood prevention of waterways flowing between Bergen County, NJ and Rockland County, NY.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/2010)

1 AN ACT creating the Rockland-Bergen Bistate River Commission
2 and supplementing Title 32 of the Revised Statutes.

3

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

6

7 1. This act shall be known, and may be cited, as the “Rockland-
8 Bergen Watershed Flood Prevention and Protection Act.”

9

10 2. The Legislature finds and declares that the States of New
11 Jersey and New York and their respective citizens share a common
12 concern to protect their personal safety and property through the
13 identification and remediation of potential flood hazards along the
14 Hackensack River, Sparkill Brook/Creek, Saddle River,
15 Ramapo/Mahwah River, and their tributaries and watersheds; that
16 because the Hackensack River, Sparkill Brook/Creek, Saddle River,
17 Ramapo/Mahwah River, and their tributaries cross the interstate
18 border region, the identification and remediation of potential flood
19 hazards require a bistate comprehensive approach; that a bistate
20 comprehensive flood prevention approach will also help ensure the
21 preservation and maintenance of the environmental benefits of the
22 Hackensack River, Sparkill Brook/Creek, Saddle River,
23 Ramapo/Mahwah River, and their tributaries; that a bistate
24 approach will encourage open space preservation and recreational
25 opportunities along the Hackensack River, Sparkill Brook/Creek,
26 Saddle River, Ramapo/Mahwah River, and their tributaries; and that
27 there has been a long history of cooperation among state and local
28 governmental entities and various private organizations and
29 individuals in the vicinity of the Hackensack River, Sparkill
30 Brook/Creek, Saddle River, Ramapo/Mahwah River, and their
31 tributaries to ensure the preservation of those water bodies and
32 watersheds.

33 The Legislature therefore determines that there is a need to
34 endorse and formalize that bistate cooperative effort to identify and
35 remediate potential flood hazards and to protect the natural, scenic
36 and recreational opportunities of the Hackensack River, Sparkill
37 Brook/Creek, Saddle River, Ramapo/Mahwah River and their
38 tributaries; and that the creation of a bistate commission is an
39 appropriate means to accomplish these very important goals.

40

41 3. As used in this act:

42 “Bistate region” means tributaries and watersheds of the
43 Hackensack River, Sparkill Brook/Creek, Saddle River,
44 Ramapo/Mahwah River within the County of Bergen in New Jersey
45 and the County of Rockland in New York.

46 “Resident voter” means an individual registered to vote and who
47 actually votes in a district within the County of Bergen in New
48 Jersey or the County of Rockland in New York.

1 4. a. There is created the Rockland-Bergen Bistate River
2 Commission, which shall comprise 18 members.

3 The commission shall include 12 voting members, as follows:
4 the Commissioner of the New Jersey Department of Environmental
5 Protection, or a designee thereof, who shall serve ex officio; the
6 Commissioner of the New York Department of Environmental
7 Conservation, or a designee thereof, who shall serve ex officio; and
8 10 members of the public with a background or experience in the
9 protection, preservation, maintenance, management, or
10 enhancement of rivers or the natural, scenic, or recreational
11 resources associated therewith, who are resident voters of the
12 County of Bergen in New Jersey or the County of Rockland in New
13 York, of whom one shall be appointed by the Governor of the State
14 of New Jersey, one shall be appointed by the Governor of the State
15 of New York, one shall be appointed by the President of the Senate
16 of the State of New Jersey, one shall be appointed by the Minority
17 Leader of the Senate of the State of New Jersey, one shall be
18 appointed by the Speaker of the General Assembly of the State of
19 New Jersey, one shall be appointed by the Minority Leader of the
20 General Assembly of the State of New Jersey, one shall be
21 appointed by the Majority Leader of the Senate of the State of New
22 York, one shall be appointed by the Minority Leader of the Senate
23 of the State of New York, one shall be appointed by the Speaker of
24 the Assembly of the State of New York and one shall be appointed
25 by the Minority Leader of the Assembly of the State of New York.

26 Additionally, the commission shall include six non-voting
27 members, as follows: the Commissioner of the New Jersey
28 Department of Transportation, or a designee thereof, who shall
29 serve ex officio; the Commissioner of the New York State
30 Department of Transportation, or a designee thereof, who shall
31 serve ex officio; the County Executive of the County of Bergen in
32 New Jersey, or a designee thereof, who shall serve ex officio; the
33 County Executive of the County of Rockland in New York, or a
34 designee thereof, who shall serve ex officio; a representative of
35 United Water, Inc.; and a representative of the United States Army
36 Corps of Engineers.

37 b. Vacancies in the appointed positions on the commission
38 shall be filled in the same manner as the original appointments were
39 made.

40 c. Members of the commission shall serve without
41 compensation, but the commission may, within the limits of funds
42 appropriated or otherwise made available to it, reimburse members
43 for actual expenses necessarily incurred in the discharge of their
44 official duties.

45 d. Members of the commission shall serve at the pleasure of the
46 relevant appointing authority.

1 5. a. The commission shall organize as soon as may be
2 practicable after the appointment of its members, and shall select
3 two co-chairpersons from its members, one from each state, and a
4 secretary who need not be a member.

5 b. The commission shall meet regularly as it may determine.
6 Meetings of the commission shall be at such times and places as the
7 co-chairpersons of the commission deem appropriate, but to the
8 maximum extent practicable and feasible, shall be rotated between
9 the two states on an alternating basis. Meetings held in New Jersey
10 shall be subject to the provisions and requirements of the "Senator
11 Byron M. Baer Open Public Meetings Act," P.L.1975, c.231
12 (C.10:4-6 et seq.). Meetings held in New York shall be subject to
13 the provisions and requirements of that state's open meetings law,
14 article 7 of the public officers law.

15 c. A majority of the voting membership of the commission
16 shall constitute a quorum for the transaction of commission
17 business. Action may be taken and motions and resolutions adopted
18 by the commission at any meeting thereof by the affirmative vote of
19 seven voting members of the commission.

20 d. The commission shall be entitled to call to its assistance, and
21 avail itself of the services of, such employees of the two states, or
22 any political subdivisions, instrumentalities, entities, agencies, or
23 authorities thereof, as it may require and as may be made available
24 to it for the purpose of carrying out its duties under this act. If
25 requested by the commission, the New Jersey Department of
26 Environmental Protection and the New York Department of
27 Environmental Conservation shall provide primary staff support.

28 e. The commission may, within the limits of funds
29 appropriated or otherwise made available to it for those purposes,
30 employ such professional, technical, and clerical staff and incur
31 such traveling and other miscellaneous expenses as it may deem
32 necessary in order to perform its duties.

33

34 6. The duties of the commission shall be to:

35 a. identify existing and projected flood hazards in the bistate
36 region;

37 b. recommend, propose and coordinate a comprehensive plan to
38 remediate existing and projected flood hazards in the bistate region;

39 c. assess present and projected development, land use, and land
40 management practices and patterns, and identify actual and
41 potential environmental threats and problems, in the bistate region,
42 and determine the effects of those practices and patterns, threats,
43 and problems upon the natural, scenic, and recreational resources of
44 the bistate region;

45 d. develop recommended regulations, procedures, policies,
46 planning strategies, and model ordinances and resolutions
47 pertaining to the protection, preservation, maintenance,
48 management, and enhancement of the bistate region, which would

- 1 be implemented as appropriate on a voluntary basis by the
2 municipalities within the bistate region;
- 3 e. coordinate environmental cleanup, maintenance, and
4 protection efforts undertaken, for the benefit of the bistate region,
5 by the municipalities within the bistate region;
- 6 f. coordinate with the New Jersey Department of
7 Environmental Protection and the New York Department of
8 Environmental Conservation, including, but not limited to, their
9 watershed management programs, the United States Army Corps of
10 Engineers and the municipalities within the bistate region;
- 11 g. recommend appropriate state legislation and administrative
12 action pertaining to the protection, preservation, maintenance,
13 management, and enhancement of the bistate region;
- 14 h. advocate, and where appropriate, act as a coordinating,
15 distributing, or recipient agency for, federal, state, or private
16 funding of environmental cleanup, maintenance, and protection
17 projects, flood prevention projects and flood hazard remediation for
18 the bistate region, which projects may include the work of the
19 commission; and
- 20 i. take such other action as may be appropriate or necessary to
21 further the purpose of this act.

22

23 7. The commission shall, within 18 months after the date it
24 organizes, and annually thereafter, prepare a progress report on its
25 activities, and submit it, together with any recommendations for
26 legislation, administrative action, or action by local governments, to
27 the Governors and Legislatures of the States of New Jersey and
28 New York. For New Jersey, each such report shall be submitted to
29 the Legislature in accordance with the requirements of section 2 of
30 P.L.1991, c.164 (C.52:14-19.1).

31

32 8. The State Comptroller of New Jersey and the comptroller of
33 the state of New York are hereby authorized and empowered from
34 time to time to examine the accounts and books of the commission,
35 including its receipts, disbursements, and such other items referring
36 to its financial standing as the comptroller may deem proper and to
37 report the results of such examination to the Governors and
38 Legislatures of the States of New Jersey and New York. Such
39 report shall be submitted to the New Jersey Legislature in
40 accordance with the requirements of section 2 of P.L.1991, c.164
41 (C.52:14-19.1).

42

43 9. This act shall take effect upon enactment of substantially
44 similar legislation by the State of New York, unless the State of
45 New York has enacted such legislation prior to the date of
46 enactment of this act, in which case this act shall take effect
47 immediately.

STATEMENT

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This bill creates an 18-member bistate commission, to be known as the Rockland-Bergen Bistate River Commission, the purpose of which would be to provide a means to effectively facilitate the cooperation of the governments of the States of New Jersey and New York to help ensure that the natural, scenic, and recreational resources of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, their tributaries and watersheds are protected from despoliation due to environmental and other threats from both sides of the border, so that the pristine beauty of the area will be preserved and maintained for the enjoyment and recreation of present and future generations, and to ensure the safety of the surrounding communities from flood hazards.

The commission would include 12 voting members as follows: the Commissioner of the NJDEP, or a designee thereof, who would serve ex officio; the Commissioner of the NYDEC, or a designee thereof, who would serve ex officio; and 10 members of the public with a background or experience in the protection, preservation, maintenance, management, or enhancement of rivers or the natural, scenic, or recreational resources associated therewith, who are resident voters of the County of Bergen in New Jersey or the County of Rockland in New York, of whom one would be appointed by the Governor of New Jersey, one would be appointed by the Governor of New York, one would be appointed by the President of the New Jersey State Senate, one would be appointed by the Minority Leader of the New Jersey State Senate, one would be appointed by the Speaker of the New Jersey General Assembly, one would be appointed by the Minority Leader of the New Jersey General Assembly, one would be appointed by the Majority Leader of the New York State Senate, one would be appointed by the Minority Leader of the New York State Senate, one would be appointed by the Speaker of the New York State Assembly and one would be appointed by the Minority Leader of the New York State Assembly.

Additionally, the commission would include six non-voting members, as follows: the Commissioner of the NJDOT, or a designee thereof, who would serve ex officio; the Commissioner of the NYDOT, or a designee thereof, who would serve ex officio; the County Executive of the County of Bergen in New Jersey, or a designee thereof, who would serve ex officio; the County Executive of the County of Rockland in New York, or a designee thereof, who would serve ex officio; a representative of United Water, Inc.; and a representative of the United States Army Corps of Engineers.

The duties of the commission would be to:

(1) identify existing and projected flood hazards in the bistate region;

- 1 (2) recommend, propose and coordinate a comprehensive plan to
2 remediate existing and projected flood hazards in the bistate region;
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4 management practices and patterns, and identify actual and
5 potential environmental threats and problems, in the bistate region,
6 and determine the effects of those practices and patterns, threats,
7 and problems upon the natural, scenic, and recreational resources of
8 the bistate region;
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10 planning strategies, and model ordinances and resolutions
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13 be implemented as appropriate on a voluntary basis by the
14 municipalities within the bistate region;
- 15 (5) coordinate environmental cleanup, maintenance, and
16 protection efforts undertaken, for the benefit of the bistate region,
17 by the municipalities within the bistate region;
- 18 (6) coordinate with the New Jersey Department of
19 Environmental Protection and the New York Department of
20 Environmental Conservation, including, but not limited to, their
21 watershed management programs, the United States Army Corps of
22 Engineers and the municipalities within the bistate region;
- 23 (7) recommend appropriate state legislation and administrative
24 action pertaining to the protection, preservation, maintenance,
25 management, and enhancement of the bistate region; and
- 26 (8) advocate, and when directed, act as a coordinating,
27 distributing, or recipient agency for, federal, state, or private
28 funding of environmental cleanup, maintenance, and protection
29 projects, flood prevention projects and flood hazard remediation for
30 the bistate region, which projects may include the work of the
31 commission.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2440

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 2011

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 2440.

This bill, as amended by the committee, creates an 18-member bistate commission, with 12 voting and six non-voting members, to be known as the Rockland-Bergen Bistate River Commission. The purpose of the commission would be to provide a means to effectively facilitate the cooperation of the governments of the States of New Jersey and New York to help ensure that the natural, scenic, and recreational resources of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries and watersheds are protected from despoliation due to environmental and other threats from both sides of the border, so that the pristine beauty of the area will be preserved and maintained for the enjoyment and recreation of present and future generations, and to ensure the safety of the surrounding communities from flood hazards.

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by the President of the New York State Senate, one would be appointed by the Minority Leader of the New York State Senate, one would be appointed by the Speaker of the New York State Assembly and one would be appointed by the Minority Leader of the New York State Assembly.

In addition, the commission would include six non-voting members, as follows: the Commissioner of the New Jersey Department of Transportation, or a designee thereof, who would serve ex officio; the Commissioner of the New York Department of Transportation, or a designee thereof, who would serve ex officio; the County Executive of the County of Bergen in New Jersey, or a designee thereof, who would serve ex officio; the County Executive of the County of Rockland in New York, or a designee thereof, who would serve ex officio; a representative of United Water, Inc.; and a representative of the United States Army Corps of Engineers (USACOE).

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(8) advocate, and when directed, act as a coordinating, distributing, or recipient agency, for federal, state, or private funding of environmental cleanup, maintenance, and protection projects, flood prevention projects and flood hazard remediation for the bistate region, which projects may include the work of the commission.

Substantially similar legislation was introduced in the New York State Legislature in April 2009.

As amended by the committee, this bill is identical to Senate Bill No. 59 (1R) as also reported by the committee.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

1) allow the 10 members of the public to have a background or experience in building or engineering, as an alternative to other backgrounds and experiences specified in the bill;

2) specifically provide that the commission would have no authority to adopt rules or regulations but would be able to offer, rather than develop, recommended regulations, procedures policies, planning strategies, and model ordinances and resolutions pertaining to the protection, preservation, maintenance, management, and enhancement of the bistate region, which would be implemented as appropriate on a voluntary basis by the municipalities within the bistate region; and

3) make a technical correction.