

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Aid for veterans and changes to Megan's Law among the 100 bills Christie signed," Burlington County Times, 1-23-2014.

LAW/RWH

P.L.2013, CHAPTER 240, *approved January 17, 2014*
Assembly, No. 2042

1 AN ACT concerning access to beaches and amending P.L.1955,
2 c.49.

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

6
7 1. Section 1 of P.L.1955, c.49 (C.40:61-22.20) is amended to
8 read as follows:

9 1. a. The governing body of any municipality bordering on the
10 Atlantic Ocean, tidal water bays or rivers which owns or shall
11 acquire, by any deed of dedication or otherwise, lands bordering on
12 the ocean, tidal water bays or rivers, or easement rights therein, for
13 a place of resort for public health and recreation and for other
14 public purposes shall have the exclusive control, government and
15 care thereof and of any boardwalk, bathing and recreational
16 facilities, safeguards and equipment, now or hereafter constructed
17 or provided thereon, and may, by ordinance, make and enforce rules
18 and regulations for the government and policing of such lands,
19 boardwalk, bathing facilities, safeguards and equipment; provided,
20 that such power of control, government, care and policing shall not
21 be construed in any manner to exclude or interfere with the
22 operation of any State law or authority with respect to such lands,
23 property and facilities. Any such municipality may, in order to
24 provide funds to improve, maintain and police the same and to
25 protect the same from erosion, encroachment and damage by sea or
26 otherwise, and to provide facilities and safeguards for public
27 bathing and recreation, including the employment of lifeguards, by
28 ordinance, make and enforce rules and regulations for the
29 government, use, maintenance and policing thereof and provide for
30 the charging and collecting of reasonable fees for the registration of
31 persons using said lands and bathing facilities, for access to the
32 beach and bathing and recreational grounds so provided and for the
33 use of the bathing and recreational facilities, but no such fees shall
34 be charged or collected from children under the age of 12 years.

35 b. A municipality may by ordinance provide that no fees, or
36 reduced fees, shall be charged to:

37 (1) persons 65 or more years of age;

38 (2) persons who meet the disability criteria for disability
39 benefits under Title II of the federal Social Security Act (42 U.S.C.
40 s.401 et seq.);

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.

1 (3) persons in active military service in any of the Armed Forces
2 of the United States and to their spouse or dependent children over
3 the age of 12 years; **and**

4 (4) persons who are active members of the New Jersey National
5 Guard who have completed Initial Active Duty Training and to their
6 spouse or dependent children over the age of 12 years. As used in
7 this paragraph, "Initial Active Duty Training" means Basic Military
8 Training, for members of the New Jersey Air National Guard, and
9 Basic Combat Training and Advanced Individual Training, for
10 members of the New Jersey Army National Guard; and

11 (5) persons who have served in any of the Armed Forces of the
12 United States and who were discharged or released therefrom under
13 conditions other than dishonorable and who either have served at
14 least 90 days in active duty or have been discharged or released
15 from active duty by reason of a service-incurred injury or disability.
16 The Adjutant General of the New Jersey Department of Military
17 and Veterans' Affairs shall promulgate rules and regulations
18 pertaining to veteran eligibility under this paragraph.

19 c. A municipality providing for no fees or reduced fees
20 pursuant to paragraph (3) **or** (4), or (5) of subsection b. of this
21 section shall track, in a manner deemed appropriate by the
22 governing body of the municipality, the number of persons who
23 qualify under the provisions of those paragraphs.

24 (cf: P.L.2011, c.75, s.1)

25
26 2. This act shall take effect immediately.

27
28
29 STATEMENT

30
31 This bill would permit shore municipalities, by ordinance, to
32 provide free or reduced fee beach access to veterans who have
33 served in any of the Armed Forces of the United States and who
34 were discharged or released therefrom under conditions other than
35 dishonorable and who either have served at least 90 days in active
36 duty or have been discharged or released from active duty by reason
37 of an actual service-incurred injury or disability. The bill would
38 require any municipality providing for free or reduced fee beach
39 access to track, in a manner deemed appropriate by the municipal
40 governing body, the number of veterans who qualify for this
41 benefit.

42 State law currently permits municipalities, by ordinance, to
43 provide free or reduced fee beach access to persons 65 or more
44 years of age, to persons who meet the disability criteria for
45 disability benefits under Title II of the federal Social Security Act,
46 and to persons in active military service in any of the Armed Forces
47 of the United States or who are active members of the New Jersey
48 National Guard who have completed Initial Active Duty Training

1 and to their spouse or dependent children over the age of 12 years.
2 Current law also provides that no fees shall be charged or collected
3 from children who are under 12 years of age.

4

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8 _____

8 Allows municipalities to provide veterans free or reduced cost
9 access to beaches.

ASSEMBLY, No. 2042

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 17, 2012

Sponsored by:

Assemblyman MATTHEW W. MILAM
District 1 (Atlantic, Cape May and Cumberland)
Assemblyman NELSON T. ALBANO
District 1 (Atlantic, Cape May and Cumberland)
Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex)
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)

Co-Sponsored by:

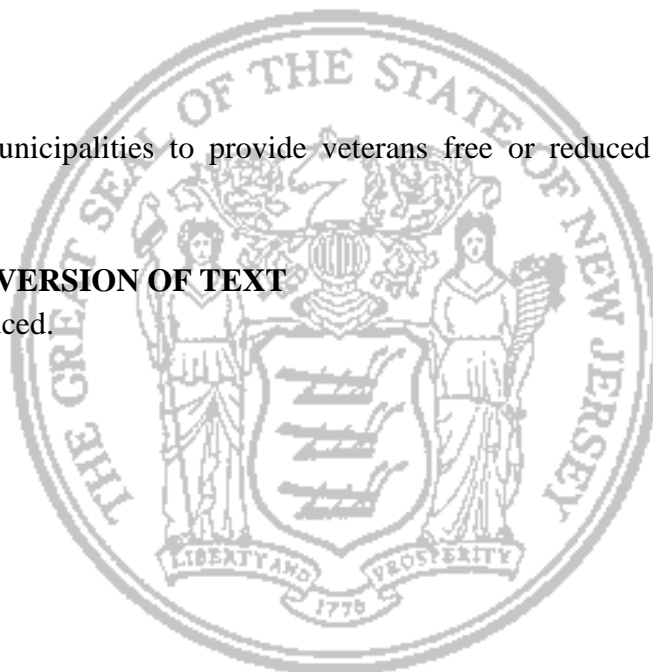
Assemblywoman Gove, Assemblymen Wilson, Rumpf, Assemblywoman Wagner, Assemblymen Eustace, Conaway, Chivukula, Assemblywomen Lampitt, Mosquera, Senators Van Drew, Beach, Allen, Connors, Beck, Bateman and Madden

SYNOPSIS

Allows municipalities to provide veterans free or reduced cost access to beaches.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2014)

A2042 MILAM, ALBANO

2

1 AN ACT concerning access to beaches and amending P.L.1955,
2 c.49.

3

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

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8 read as follows:

9 1. a. The governing body of any municipality bordering on the
10 Atlantic Ocean, tidal water bays or rivers which owns or shall
11 acquire, by any deed of dedication or otherwise, lands bordering on
12 the ocean, tidal water bays or rivers, or easement rights therein, for
13 a place of resort for public health and recreation and for other
14 public purposes shall have the exclusive control, government and
15 care thereof and of any boardwalk, bathing and recreational
16 facilities, safeguards and equipment, now or hereafter constructed
17 or provided thereon, and may, by ordinance, make and enforce rules
18 and regulations for the government and policing of such lands,
19 boardwalk, bathing facilities, safeguards and equipment; provided,
20 that such power of control, government, care and policing shall not
21 be construed in any manner to exclude or interfere with the
22 operation of any State law or authority with respect to such lands,
23 property and facilities. Any such municipality may, in order to
24 provide funds to improve, maintain and police the same and to
25 protect the same from erosion, encroachment and damage by sea or
26 otherwise, and to provide facilities and safeguards for public
27 bathing and recreation, including the employment of lifeguards, by
28 ordinance, make and enforce rules and regulations for the
29 government, use, maintenance and policing thereof and provide for
30 the charging and collecting of reasonable fees for the registration of
31 persons using said lands and bathing facilities, for access to the
32 beach and bathing and recreational grounds so provided and for the
33 use of the bathing and recreational facilities, but no such fees shall
34 be charged or collected from children under the age of 12 years.

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36 reduced fees, shall be charged to:

37 (1) persons 65 or more years of age;

38 (2) persons who meet the disability criteria for disability
39 benefits under Title II of the federal Social Security Act (42 U.S.C.
40 s.401 et seq.);

41 (3) persons in active military service in any of the Armed Forces
42 of the United States and to their spouse or dependent children over
43 the age of 12 years; **[and]**

44 (4) persons who are active members of the New Jersey National
45 Guard who have completed Initial Active Duty Training and to their

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.

1 spouse or dependent children over the age of 12 years. As used in
2 this paragraph, "Initial Active Duty Training" means Basic Military
3 Training, for members of the New Jersey Air National Guard, and
4 Basic Combat Training and Advanced Individual Training, for
5 members of the New Jersey Army National Guard; and

6 (5) persons who have served in any of the Armed Forces of the
7 United States and who were discharged or released therefrom under
8 conditions other than dishonorable and who either have served at
9 least 90 days in active duty or have been discharged or released
10 from active duty by reason of a service-incurred injury or disability.
11 The Adjutant General of the New Jersey Department of Military
12 and Veterans' Affairs shall promulgate rules and regulations
13 pertaining to veteran eligibility under this paragraph.

14 c. A municipality providing for no fees or reduced fees
15 pursuant to paragraph (3) **[or]** , (4), or (5) of subsection b. of this
16 section shall track, in a manner deemed appropriate by the
17 governing body of the municipality, the number of persons who
18 qualify under the provisions of those paragraphs.

19 (cf: P.L.2011, c.75, s.1)

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21 2. This act shall take effect immediately.

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STATEMENT

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26 This bill would permit shore municipalities, by ordinance, to
27 provide free or reduced fee beach access to veterans who have
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29 were discharged or released therefrom under conditions other than
30 dishonorable and who either have served at least 90 days in active
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41 and to persons in active military service in any of the Armed Forces
42 of the United States or who are active members of the New Jersey
43 National Guard who have completed Initial Active Duty Training
44 and to their spouse or dependent children over the age of 12 years.
45 Current law also provides that no fees shall be charged or collected
46 from children who are under 12 years of age.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2042

STATE OF NEW JERSEY

DATED: JUNE 18, 2012

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 2042.

This bill would permit shore municipalities, by ordinance, to provide free or reduced fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill would require any municipality providing for free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age, to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act, and to persons in active military service in any of the Armed Forces of the United States or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training, and to their spouse or dependent children over the age of 12 years. Current law also provides that no fees shall be charged or collected from children who are under 12 years of age.

This bill is identical to Senate Bill No. 958 of the 2012-2013 session.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2042

STATE OF NEW JERSEY

DATED: SEPTEMBER 24, 2012

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2042.

This bill permits shore municipalities, by local ordinance, to provide free or reduced fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill requires a municipality providing for free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age, to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act, and to persons in active military service in any of the Armed Forces of the United States or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training, and to their spouse or dependent children over the age of 12 years. Current law also provides that no fees shall be charged or collected from children who are under 12 years of age.

FISCAL IMPACT:

Seasonal beach fees for the shore municipalities that charge them range from \$20 to \$100, with a median of about \$70. Daily beach fees for the shore municipalities that charge them vary from \$5 to \$9, with a median of \$7. The bill allows municipalities the option to charge a reduced fee or no fee to veterans. Complicated by the lack of a central data source reporting current collections, it is not possible to predict how municipalities will implement this option, so no revenue impact on municipal collections can be determined.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2042
STATE OF NEW JERSEY
215th LEGISLATURE

DATED: SEPTEMBER 27, 2012

SUMMARY

Synopsis: Allows municipalities to provide veterans free or reduced cost access to beaches.

Type of Impact: Indeterminate potential decrease in municipal revenues.
 Indeterminate potential increase in municipal costs.

Agencies Affected: Municipalities

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Local Revenue	Indeterminate Potential Revenue Loss – See comments below		
Local Costs	Indeterminate Potential Increase – See comments below		

- The Office of Legislative Services (OLS) has determined that the enactment of Assembly Bill No. 2042 would result in an indeterminate loss of revenues to shore municipalities that choose to adopt ordinances allowing for the provision of free or reduced beach access fees to qualified veterans.
- While municipalities keep count of the number of seasonal and daily beach passes that are sold each year, there is currently no practical way to determine or even provide a reasonable estimation of the number of veterans eligible for free beach access, the frequency with which they will access the beach, and which municipal beach they will visit.
- Municipalities that choose to provide free or reduced beach access to veterans may experience an increase in unreimbursed costs if they have to invest in new accounting and auditing systems that would enable them to accurately track the amount of revenues lost due to the provision of free beach access to eligible servicepersons and veterans.

BILL DESCRIPTION

Assembly Bill No. 2042 of 2012 would permit shore municipalities, by ordinance, to provide free or reduced beach fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill would require any municipality providing for free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age; to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act; and to persons in active military service in any of the Armed Forces of the United States, or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training, and to their spouse or dependent children over the age of 12 years. Current law provides that no fees shall be charged or collected from children who are under 12 years of age.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS has determined that the enactment of Assembly Bill No. 2042 would result in an indeterminate loss of revenues and an indeterminate increase in costs in shore municipalities that currently charge beach fees and that choose to adopt ordinances allowing for the provision of free or reduced beach access fees to qualified veterans. While municipalities keep count of the number of seasonal and daily beach passes that are sold each year, there is no practical way to determine the number of veterans living in New Jersey or elsewhere, who will be eligible for free beach access, the frequency with which they will access the beach, and which municipal beach they will visit. Absent this information, the OLS cannot provide an estimate of the potential municipal revenue loss. Municipalities may have to contribute significant staff hours towards the review of discharge documents presented by veterans in order to substantiate their eligibility for free beach access and may experience an increase in costs if they have to invest in new accounting and auditing systems that would enable them to accurately track the amount of revenues lost due to the provision of free beach access to eligible servicepersons and veterans.

Section: Local Government

*Analyst: Scott A. Brodsky
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2042

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2013

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2042.

Assembly Bill No. 2042 permits shore municipalities, by local ordinance, to provide free or reduced fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill requires a municipality providing for free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age, to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act, and to persons in active military service in any of the Armed Forces of the United States or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training, and to their spouse or dependent children over the age of 12 years. Current law also provides that no fees shall be charged or collected from children who are under 12 years of age.

As reported, this bill is identical to Senate Bill No. 958, as also reported by the committee.

FISCAL IMPACT:

In the Legislative Fiscal Estimate on this bill, the Office of Legislative Services (OLS) has determined that the bill will result in an indeterminate loss of revenues and an indeterminate increase in costs in shore municipalities that currently charge beach fees and that choose to adopt ordinances allowing for the provision of free or reduced beach access fees to qualified veterans.

While municipalities keep count of the number of seasonal and daily beach passes that are sold each year, there is no practical way to determine the number of veterans living in New Jersey or elsewhere, who will be eligible for free beach access, the frequency with which they will access the beach, and which municipal beach they will visit.

Absent this information, the OLS cannot provide an estimate of the potential municipal revenue loss.

Seasonal beach fees for the shore municipalities that charge them range from \$20 to \$100, with a median of about \$70. Daily beach fees for the shore municipalities that charge them vary from \$5 to \$9, with a median of \$7.

Municipalities may have to contribute significant staff hours towards the review of discharge documents presented by veterans in order to substantiate their eligibility for free beach access and may experience an increase in costs if they have to invest in new accounting and auditing systems that would enable them to accurately track the amount of revenues lost due to the provision of free beach access to eligible servicepersons and veterans.

SENATE, No. 958

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 17, 2012

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Senators Allen, Connors, Beck, Bateman and Madden

SYNOPSIS

Allows municipalities to provide veterans free or reduced cost access to beaches.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2014)

S958 VAN DREW, BEACH

2

1 AN ACT concerning access to beaches and amending P.L.1955,
2 c.49.

3

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5 of New Jersey:

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13 a place of resort for public health and recreation and for other
14 public purposes shall have the exclusive control, government and
15 care thereof and of any boardwalk, bathing and recreational
16 facilities, safeguards and equipment, now or hereafter constructed
17 or provided thereon, and may, by ordinance, make and enforce rules
18 and regulations for the government and policing of such lands,
19 boardwalk, bathing facilities, safeguards and equipment; provided,
20 that such power of control, government, care and policing shall not
21 be construed in any manner to exclude or interfere with the
22 operation of any State law or authority with respect to such lands,
23 property and facilities. Any such municipality may, in order to
24 provide funds to improve, maintain and police the same and to
25 protect the same from erosion, encroachment and damage by sea or
26 otherwise, and to provide facilities and safeguards for public
27 bathing and recreation, including the employment of lifeguards, by
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29 government, use, maintenance and policing thereof and provide for
30 the charging and collecting of reasonable fees for the registration of
31 persons using said lands and bathing facilities, for access to the
32 beach and bathing and recreational grounds so provided and for the
33 use of the bathing and recreational facilities, but no such fees shall
34 be charged or collected from children under the age of 12 years.

35 b. A municipality may by ordinance provide that no fees, or
36 reduced fees, shall be charged to:

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38 (2) persons who meet the disability criteria for disability
39 benefits under Title II of the federal Social Security Act (42 U.S.C.
40 s.401 et seq.);

41 (3) persons in active military service in any of the Armed Forces
42 of the United States and to their spouse or dependent children over
43 the age of 12 years; **[and]**

44 (4) persons who are active members of the New Jersey National
45 Guard who have completed Initial Active Duty Training and to their

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.

1 spouse or dependent children over the age of 12 years. As used in
2 this paragraph, "Initial Active Duty Training" means Basic Military
3 Training, for members of the New Jersey Air National Guard, and
4 Basic Combat Training and Advanced Individual Training, for
5 members of the New Jersey Army National Guard; and

6 (5) persons who have served in any of the Armed Forces of the
7 United States and who were discharged or released therefrom under
8 conditions other than dishonorable and who either have served at
9 least 90 days in active duty or have been discharged or released
10 from active duty by reason of a service-incurred injury or disability.
11 The Adjutant General of the New Jersey Department of Military
12 and Veterans' Affairs shall promulgate rules and regulations
13 pertaining to veteran eligibility under this paragraph.

14 c. A municipality providing for no fees or reduced fees
15 pursuant to paragraph (3) **[or]**, (4), or (5) of subsection b. of this
16 section shall track, in a manner deemed appropriate by the
17 governing body of the municipality, the number of persons who
18 qualify under the provisions of those paragraphs.

19 (cf: P.L.2011, c.75, s.1)

20

21 2. This act shall take effect immediately.

22

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STATEMENT

25

26 This bill would permit shore municipalities, by ordinance, to
27 provide free or reduced fee beach access to veterans who have
28 served in any of the Armed Forces of the United States and who
29 were discharged or released therefrom under conditions other than
30 dishonorable and who either have served at least 90 days in active
31 duty or have been discharged or released from active duty by reason
32 of an actual service-incurred injury or disability. The bill would
33 require any municipality providing for free or reduced fee beach
34 access to track, in a manner deemed appropriate by the municipal
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36 benefit.

37 State law currently permits municipalities, by ordinance, to
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39 years of age, to persons who meet the disability criteria for
40 disability benefits under Title II of the federal Social Security Act,
41 and to persons in active military service in any of the Armed Forces
42 of the United States or who are active members of the New Jersey
43 National Guard who have completed Initial Active Duty Training
44 and to their spouse or dependent children over the age of 12 years.
45 Current law also provides that no fees shall be charged or collected
46 from children who are under 12 years of age.

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 958

STATE OF NEW JERSEY

DATED: JUNE 4, 2012

The Senate Military and Veterans' Affairs Committee reports favorably Senate Bill No. 958.

This bill would permit shore municipalities, by ordinance, to provide free or reduced fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill would require any municipality providing for free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age, to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act, and to persons in active military service in any of the Armed Forces of the United States or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training and to their spouse or dependent children over the age of 12 years. Current law also provides that no fees shall be charged or collected from children who are under 12 years of age.

This bill is identical to Assembly Bill No. 2042 of 2012-2013.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 958

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2013

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 958.

Senate Bill No. 958 permits shore municipalities, by local ordinance, to provide free or reduced fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill requires a municipality providing for free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age, to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act, and to persons in active military service in any of the Armed Forces of the United States or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training, and to their spouse or dependent children over the age of 12 years. Current law also provides that no fees shall be charged or collected from children who are under 12 years of age.

As reported, this bill is identical to Assembly Bill No. 2042, as also reported by the committee.

FISCAL IMPACT:

In the Legislative Fiscal Estimate on the identical Assembly bill, the Office of Legislative Services (OLS) has determined that the bill will result in an indeterminate loss of revenues and an indeterminate increase in costs in shore municipalities that currently charge beach fees and that choose to adopt ordinances allowing for the provision of free or reduced beach access fees to qualified veterans.

While municipalities keep count of the number of seasonal and daily beach passes that are sold each year, there is no practical way to determine the number of veterans living in New Jersey or elsewhere, who will be eligible for free beach access, the frequency with which they will access the beach, and which municipal beach they will visit.

Absent this information, the OLS cannot provide an estimate of the potential municipal revenue loss.

Seasonal beach fees for the shore municipalities that charge them range from \$20 to \$100, with a median of about \$70. Daily beach fees for the shore municipalities that charge them vary from \$5 to \$9, with a median of \$7.

Municipalities may have to contribute significant staff hours towards the review of discharge documents presented by veterans in order to substantiate their eligibility for free beach access and may experience an increase in costs if they have to invest in new accounting and auditing systems that would enable them to accurately track the amount of revenues lost due to the provision of free beach access to eligible servicepersons and veterans.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 958
STATE OF NEW JERSEY
215th LEGISLATURE

DATED: DECEMBER 12, 2013

SUMMARY

Synopsis: Allows municipalities to provide veterans free or reduced cost access to beaches.

Type of Impact: Indeterminate potential decrease in municipal revenues.
 Indeterminate potential increase in municipal costs.

Agencies Affected: Department of Military and Veterans Affairs; municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Local Cost	Indeterminate Potential Increase – See comments below		
Local Revenue	Indeterminate Potential Decrease – See comments below		

- The Office of Legislative Services (OLS) has determined that the enactment of Senate Bill No. 958 would result in an indeterminate loss of revenues to shore municipalities that choose to adopt ordinances allowing for the provision of free or reduced beach access fees to qualified veterans.
- While municipalities keep count of the number of seasonal and daily beach passes that are sold each year, there is currently no practical way to determine or even provide a reasonable estimate of the number of veterans eligible for free beach access, the frequency with which they will access the beach, and which municipal beach they will visit,
- Municipalities that choose to provide free or reduced fee beach access to veterans may experience an increase in unreimbursed costs if they have to invest in new accounting and auditing systems to enable them to accurately track the amount of revenues lost due to the provision of free or reduced fee beach access to eligible servicepersons and veterans.

BILL DESCRIPTION

Senate Bill No. 958 of 2012 permits shore municipalities, by ordinance, to provide free or reduced fee beach access to veterans who have served in any of the Armed Forces of the United States and who were discharged or released there from under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of an actual service-incurred injury or disability. The bill requires any municipality providing free or reduced fee beach access to track, in a manner deemed appropriate by the municipal governing body, the number of veterans who qualify for this benefit.

State law currently permits municipalities, by ordinance, to provide free or reduced fee beach access to persons 65 or more years of age, to persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act, and to persons in active military service in any of the Armed Forces of the United States or who are active members of the New Jersey National Guard who have completed Initial Active Duty Training and to their spouse or dependent children over the age of 12 years. Current law also provides that no fees shall be charged or collected from children who are under 12 years of age.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS has determined that the enactment of Senate Bill No. 958 would result in an indeterminate loss of revenues and an indeterminate increase in costs incurred by shore municipalities that currently charge beach fees and that choose to adopt ordinances allowing for the provision of free or reduced fee beach access to qualified veterans. While municipalities keep count of the number of seasonal and daily beach passes that are sold each year, there is no practical way to determine the number of veterans living in New Jersey, or elsewhere, who will be eligible for free beach access, the frequency with which they will access the beach, and which municipal beach they will visit. Absent this information, the OLS cannot provide an estimate of the potential municipal revenue loss. Municipalities may have to contribute significant staff hours towards the review of discharge documents presented by veterans to substantiate their eligibility for free or reduced fee beach access and may experience an increase in costs if they have to invest in new accounting and auditing systems that would enable them to accurately track the amount of revenues lost due to the provision of free or reduced fee beach access to eligible servicepersons and veterans.

Section: Local Government

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).