

12:7-34.37 et al

LEGISLATIVE HISTORY CHECKLIST

HWSA 12:7-34.37 et al. (Boat Act of 1962--Revises)

LAWS OF 1980 CHAPTER 97

Bill No. A1027

Sponsor(s) Stewart

Date Introduced Feb. 21, 1980

Committee: Assembly Agriculture and Environment

Senate Revenue, Finance and Appropriations

Amended during passage Yes  Amendments during passage denoted by asterisks

Date of Passage: Assembly Feb. 28, 1980

Senate July 28, 1980

Date of approval Aug. 29, 1980

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/>	Also attached: Senate amendment (adopted 6-26-80 - 2 sets) with statements
Committee Statement: Assembly	Yes	<input checked="" type="checkbox"/>	
Senate	<del>Yes</del>	<input type="checkbox"/>	
Fiscal Note	<del>Yes</del>	<input type="checkbox"/>	
Veto message	<del>Yes</del>	<input type="checkbox"/>	
Message on signing	<del>Yes</del>	<input type="checkbox"/>	
Following were printed:			
Reports	<del>Yes</del>	<input type="checkbox"/>	
Hearings	<del>Yes</del>	<input type="checkbox"/>	

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## ASSEMBLY, No. 1027

## STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblyman STEWART

Referred to Committee on Agriculture and Environment

AN ACT to amend and supplement the "New Jersey Boat Act of 1962," approved June 11, 1962 (P. L. 1962, c. 73) as said title was amended by P. L. 1965, c. 206 \***[and]**\* \*,\* repealing sections \*\*\*\***[7 and 8 thereof and]**\*\*\*\* \***[sections 6 through 17 of P. L. 1965, c. 206]**\* \*, **[and]** \*\*\*\*7, 8 and 13 thereof and sections 13 of P. L. 1965, c. 206\*\*\*\* amending P. L. 1965, c. 206\* \*\*\*\*and making an appropriation\*\*\*\*.

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

1 1. Section 2 of P. L. 1962, c. 73 (C. 12:7-34.37) is amended to  
2 read as follows:

3 2. As used in this act, unless the context clearly requires a  
4 different meaning:

5 (a) "Vessel" means a boat or watercraft, other than a sea  
6 plane on the water, used or capable of being used as a means of  
7 transportation on water.

8 (b) "Power vessel" shall mean a vessel temporarily or perma-  
9 nently equipped with machinery for propulsion, and shall not  
10 include a vessel propelled wholly by sails or by muscular power.

11 (c) "Owner" means a person, other than a lien holder, having  
12 the property in or title to a **[power]** vessel. The term includes a  
13 person entitled to the use or possession of the vessel subject to an  
14 interest of another person, reserved or created by agreement and  
15 securing payment or performance of an obligation, but the term  
16 excludes a lessee under a lease not intended as security.

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

17 (d) "Operate" means to navigate or otherwise use a vessel.

18 (e) "Department" means the Department of [Conservation  
19 and Economic Development] *Environmental Protection* or its  
20 duly constituted successor.

21 (f) "Commissioner" shall refer to the Commissioner of the  
22 Department of [Conservation and Economic Development] *En-  
23 vironmental Protection*.

24 (g) "Commission" shall refer to the Boat Regulation Commis-  
25 sion established in this act.

26 (h) "Waters of this State" means all waters within the juris-  
27 diction of this State, both tidal and nontidal, and the marginal sea  
28 adjacent to this State \*\*[\*]; *provided, however, that, for the pur-  
28A poses of this act, "waters of this State" does not include any body  
28B of water wholly within private lands\**\*\*.

29 (i) "Number", "Numbering" and "Certificates of number"  
30 as used in this act are the equivalent of the terms "register",  
31 "registration" and "Certificate of Registration" as used in the  
32 Power Vessel Act (1954) being chapter 236 of the laws of 1954.

33 (j) "Length" means measurement in feet and inches from end  
34 to end over the deck parallel to the centerline excluding sheer,  
35 bowsprits, bumpkins, rudders, outboard motors, brackets or other  
36 equipment or appendages.

37 (k) "Sailboat" means any boat whose *sole* source of propulsion  
38 is the natural element (i.e., wind).

39 (l) "Documented [power] vessel" means a [power] vessel  
40 which has a valid Marine Document issued by the [Bureau of  
41 Customs of the United States Government] *United States Coast  
42 Guard* or any Federal agency successor thereto.

1 2. Section 3 of P. L. 1962, c. 73 (C. 12:7-34.38) is amended to  
2 read as follows:

3 3. Except as herein otherwise provided, every vessel which is  
4 upon the waters of this State [may be and every power vessel]  
5 shall be numbered in accordance with the provisions of this act, and  
6 no person shall operate or give permission to operate any [power]  
7 vessel on such waters unless it is so numbered.

8 A [power] vessel shall not be required to be numbered under  
9 this act if it is:

10 (a) A documented [power] vessel [for which a tax exemption  
11 certificate is issued];

12 (b) Being legally operated *and meets all current requirements*  
13 pursuant to applicable Federal law or a Federally-approved  
14 numbering system of another state; provided, that such vessel

15 shall not have been within this State for a period in excess of 180  
 16 consecutive days, unless it is in New Jersey for the purpose of wet  
 17 or dry storage, or for repairs, in which case the actual time for  
 18 said storage or repair shall not be counted as included within the  
 19 180 days aforesaid; *\*provided, however, that a vessel shall be*  
 19A *considered to be based within this State if its owner owns, main-*  
 19B *tains, leases, or rents space in this State for its storage, mooring,*  
 19C *or servicing on other than on a transient basis;\**

20 (c) From a country other than the United States temporarily  
 21 using the waters of this State;

22 (d) A public vessel of the United States, a state or subdivision  
 23 or agency thereof;

24 (e) A ship's lifeboat;

25 (f) Any **\*[power]\*** vessel used exclusively for racing while  
 26 actually competing in or tuning up for an authorized race held  
 27 under the auspices of a duly incorporated yacht club or racing  
 28 association in accordance with the rules and regulations prescribed  
 29 by the department and pursuant to a permit duly issued by the  
 30 department**\*\*[.]\*\* \*\*;**

31 *\*\* (g) A vessel, except for power vessels, used exclusively on*  
 32 *small lakes and ponds wholly within private lands;*

33 (h) *A non-motorized inflatable, surfboard, racing shell, rowing*  
 34 *scull, tender for direct transportation between a vessel and the*  
 35 *shore and for no other purpose (dinghy), or vessel, except power*  
 36 *vessels, of 12 feet or less in length\*\*\*[.]\*\*\* \*\*;*

37 *\*\*\* (i) A canoe or kayak.\*\*\**

1 3. Section 4 of P. L. 1962, c. 73 (C. 12:7-34.39) is amended to  
 2 read as follows:

3 4. (a) The owner of a **[power]** vessel required to be numbered  
 4 in this State shall file an application with the department on forms  
 5 approved by it. The application shall be signed by the owner and  
 6 shall be accompanied by the fee prescribed by this act for such  
 7 **[power]** vessel. Upon receipt of the application in the approved  
 8 form and the prescribed fee, the department shall enter the same  
 9 upon the records of its office and issue to the applicant, a pocket-  
 10 size **[, waterproof,]** certificate of number, which shall state the  
 11 name and address of the owner, a description of the **[power]** vessel,  
 12 its use, and the number assigned.

13 (b) **[The]** *Except as provided herein\*\*\*\*[.]\*\*\*\* \*\*;*  
 14 *the certificate of number shall be available at all times for inspec-*  
 15 *tion on the [power] vessel for which issued whenever such vessel*  
 16 *is in operation. The certificate of number for vessels less than 26*

17 *feet in length and leased or rented to another for the latter's non-*  
 18 *commercial use of less than 24 hours may be retained on shore by*  
 19 *the vessel's owner or his representative at the place from which the*  
 20 *vessel departs or returns to the possession of the owner or his rep-*  
 21 *resentative provided such substitute as the commissioner may pre-*  
 22 *scribe by regulation is carried on board.*

23 (c) The number assigned to a vessel shall be displayed on each  
 24 side of the bow thereof, as prescribed by regulations of the  
 25 department, using letters and numerals not less than 3 inches in  
 26 height. No other number shall be displayed on the bow.

1 4. Section 5 of P. L. 1962, c. 73 (C. 12:7-34.40) is amended to  
 2 read as follows:

3 5. The department shall make and promulgate rules and regula-  
 4 tions concerning the numbering system to be used, which system  
 5 shall conform as near as possible with any over-all system of  
 6 identification numbering for **[power]** vessels which is being used  
 7 by the United States Government or its agencies. Such rules and  
 8 regulations shall go into effect immediately upon promulgation.

1 5. Section 6 of P. L. 1962, c. 73 (C. 12:7-34.41) is amended to  
 2 read as follows:

3 6. The owner of any **[power]** vessel identified by a number in  
 4 full force and effect which has been awarded to it pursuant to  
 5 a then operative Federal law or Federally-approved numbering  
 6 system **\*[or]\* \*of\*** another State shall record with the department  
 7 the vessel's description and number prior to using such **[power]**  
 8 vessel upon the waters of this State in excess of the 180-day reci-  
 9 procity period provided for in section 3 of this act. Such recording  
 10 shall be in the same manner and pursuant to the same procedure  
 11 prescribed in section 4 of this act except that no additional or  
 12 substitute number shall be assigned.

1 6. Section 9 of P. L. 1962, c. 73 (C. 12:7-34.44) is amended to  
 2 read as follows:

3 9. No person shall make any misstatement of fact in an appli-  
 4 cation for the numbering of a **[power]** vessel or give a fictitious  
 5 name or address.

1 7. Section 12 of P. L. 1962, c. 73 (C. 12:7-34.47) is amended to  
 2 read as follows:

3 12. **[The fees for the initial numbering of all power vessels and**  
 4 **for each renewal of the certificate of number issued thereto, unless**  
 5 **otherwise provided by law, shall be:**

6 (a) For all vessels used solely for the pleasure and recreation  
 7 of the owner, 16 feet or less \$4.00 per year; more than 16 feet and

8 less than 26 feet, \$10.00 per year; 26 feet or more and less than  
 9 40 feet, \$20.00 per year; 40 feet or more and less than 65 feet,  
 10 \$30.00 per year; 65 feet or more \$100.00 per year;】

11 **\*\*【(a) The commissioner shall by rule and with the advice of the**  
 12 *commission, adopt a schedule of reasonable fees for the initial*  
 13 *numbering of all vessels and for each renewal of the certificate of*  
 14 *number issued thereto. The fees shall be based on the length of the*  
 15 *vessel\**; provided, however, that the fees for the initial numbering  
 15A *of vessels, and for each renewal of the certificate of numbers*  
 15B *issued thereto, unless otherwise provided by law, shall not exceed:*  
 15C *for all vessels 16 feet or less, \$6.00 per year; more than 16 feet but*  
 15D *less than 26 feet, \$14.00 per year; 26 feet or more but less than 40*  
 15E *feet, \$26.00 per year; 40 feet or more but less than 65 feet, \$40.00*  
 15F *per year; 65 feet or more, \$125.00 per year\*.】\*\**

15G **\*\*The fees for the initial numbering of all vessels and for each**  
 15H *renewal of the certificate of number issued thereto, unless otherwise*  
 15I *provided by law, shall be:*

15J (a) *For all vessels less than 16 feet, \$6.00 per year; 16 feet or*  
 15K *more but less than 26 feet, \$14.00 per year; 26 feet or more but*  
 15L *less than 40 feet, \$26.00 per year; 40 feet or more but less than*  
 15M *65 feet, \$40.00 per year; 65 feet or more, \$125.00 per year.\*\**

16 (b) **【for all vessels for which a tax exemption certificate is issued,**  
 17 **\$5.00 per year;】 Deleted by amendment.**

18 (c) Special numbers including up to three duplicates thereof  
 19 and up to four sets of temporary numbers bearing a number cor-  
 20 responding to the special number, shall be assigned to boat dealers  
 21 and manufacturers, as provided for under rules and regulations  
 22 to be promulgated by the department, and such numbers shall be  
 23 displayed temporarily upon boats being tested, demonstrated,  
 24 photographed or transported, said display to be as prescribed in  
 25 the rules and regulations aforementioned.

26 For each such special number so assigned the fee shall be \$75.00  
 27 for 1 year.

1 8. Section 15 of P. L. 1962, c. 73 (C. 12:7-34.50) is amended to  
 2 read as follows:

3 15. (a) **【Rules and regulations, other than emergency rules and**  
 4 **regulations or rules and regulations promulgated pursuant to the**  
 5 **provisions of section 5 of this act, shall go into effect 60 days**  
 6 **following promulgation or at such later date as the rules and**  
 7 **regulations shall provide.】 Deleted by amendment.**

8 (b) No changes in the rules and regulations shall go into effect  
 9 from May 1 to September 30 of any year unless the Boat Regulation

10 Commission shall find a need for the adoption of emergency rules  
 11 and regulations *pursuant to subsection (c) of section 4 of the*  
 12 *“Administrative Procedure Act,” P. L. 1968, c. 410 (C. 52:*  
 13 *14B-4(c)).* [Such emergency rules and regulations after approval  
 14 by the commissioner shall go into effect 15 days after publication  
 15 in at least one newspaper in every county of the State and shall  
 16 remain in effect for 120 days or such shorter period as such rules  
 17 and regulations shall provide.]

18 (c) [A copy of the rules and regulations adopted pursuant to this  
 19 act, and of any amendments thereto, shall be filed in the office of the  
 20 Secretary of State.] *Deleted by amendment.*

1 9. Section 16 of P. L. 1962, c. 73 (C. 12:7-34.51) is amended to  
 2 read as follows:

3 16. [Any person who violates any provisions of this act or any  
 4 rule or regulation authorized hereby, shall be a disorderly person  
 5 and shall be subject to a fine not to exceed \$100.00 for the first  
 6 offense or imprisonment of 10 days or both. Any person who  
 7 violates any provisions of this act for a second time, and for all  
 8 subsequent offenses, shall be subject to a fine not to exceed \$200.00  
 9 or imprisonment for 20 days or both.]

10 *A person is guilty of a petty disorderly persons offense if he*  
 11 *violates any provisions of this act or any regulation adopted pur-*  
 12 *suant to this act regarding registration, equipment, or any pro-*  
 13 *vision not related to the operation of the vessel.*

14 *A person is guilty of a disorderly persons offense if he violates*  
 15 *any provisions of this act or any regulation adopted pursuant to*  
 16 *this act which pertains to the movement, operation, anchoring,*  
 17 *speed, noise, or any regulatory provision relating to the safe*  
 18 *movement and operation of a vessel.*

1 10. (New section) (a) For the purposes of this act, a documented  
 2 vessel is based within this State if its owner owns, maintains, leases  
 3 or rents space in this State for its storage, mooring or servicing  
 4 on other than a transient basis.

5 (b) The owner of a documented vessel of 500 gross tons or less  
 6 based in this State shall file an application for the registration of  
 7 such vessel with the department on forms approved by it. The  
 8 application shall be signed by the owner and shall be accompanied  
 9 by the fee prescribed herein for the vessel. Upon receipt of the  
 10 application in the approved form and the prescribed fee, the  
 11 department shall enter the same upon the records of its office and  
 12 issue to the applicant a pocket-size certificate of registration which  
 13 shall state the name and address of the owner, a description of  
 14 the vessel, and its use.

15 (c) The certificate of registration shall be available at all times  
16 for inspection on the vessel for which issued whenever the vessel  
17 is in operation.

18 (d) The fees for the initial registration of a documented vessel  
19 and for each renewal thereof, shall be based on the length of  
20 the vessel and shall be the same as provided for in section 12 of  
21 P. L. 1962, c. 73 (C. 12:7-34.47) for other vessels of the same  
22 length.

1 \*11. Section 9 of P. L. 1965, c. 206 (C. 12:7-34.47d) is amended  
2 to read as follows:

3 9. **[The following fees]** *A fee of \$1.00 shall be charged and*  
4 *collected for the issuance of a tax exemption certificate for each*  
5 *\*\*[power]\*\* vessel and for the annual renewal of said certificate[:*

Length	Fee
6 16 feet or less .....	\$8.00 per year
7 more than 16 feet but less than 26 feet .....	\$50.00 per year
8 26 feet or more but less than 40 feet .....	\$150.00 per year
9 40 feet or more but less than 65 feet .....	\$225.00 per year
10 65 feet and over .....	\$300.00 per year].*

1 \*\*\*\*12. *(New section) All fees received pursuant to P. L. 1962,*  
2 *c. 73 (C. 12:7-34.36 et seq.) and P. L. 1965, c. 206 (C. 12:7-34.47a*  
3 *et seq.) shall be deposited as part of the State's general funds with*  
4 *the State Treasurer, who shall keep a record of the same. The sums*  
5 *shall be credited to a permanent revolving fund for the then current*  
6 *fiscal year and thereafter, from year to year, as a replacement*  
7 *thereof, and shall not lapse into the unappropriated funds of the*  
8 *State Treasury, \*\*\*\*[to be utilized as follows:*

9 a. *\$300,000.00 of these sums and 25% of the increase in revenues*  
10 *collected pursuant to this amendatory and supplementary act shall*  
11 *annually be appropriated and utilized for the purpose of dredging*  
12 *the navigable waterways of this State, and for the maintenance and*  
13 *redredging of such waterways;*

14 b. *Of the remainder of these sums:*

15 (1) *90% thereof shall annually be appropriated and utilized for*  
16 *the purpose of meeting necessary administrative expenses of imple-*  
17 *menting P. L. 1962, c. 73 (C. 12:7-34.36 et seq.) and P. L. 1965,*  
18 *c. 206 (C. 12:7-34.47a et seq.); and,*

19 (2) *10% of the remainder of these sums shall annually be appro-*  
20 *priated to expand and maintain the State Marine Police Force in*  
21 *the Division of State Police in the Department of Law and Public*  
22 *Safety. \*\*\*\*]\*\*\*\*\* to be appropriated annually to implement*  
23 *P. L. 1962, c. 73 (C. 12:7-34.36 et seq.) and P. L. 1965, c. 206*



24 (C. 12:7-34.47a et seq.) and maintain and expand the State Marine  
 25 Police Force.\*\*\*\*\*

1 \***[11.]**\* \*\*\*\*\***[\*12.\*]**\*\*\*\*\* \*\*\*\*\*13.\*\*\*\*\* The following are repealed:

2 \***[a.]**\* \*\*\*\*\***[P. L. 1962, c. 73, ss. 7 and 8 (C. 12:7-34.42 and**  
 2A 34.43).]\*\*\*\*\*

2B \*\*\*\*\*a. P. L. 1962, c. 73, ss. 7, 8 and 13 (C. 12:7-34.42, 12:7-34.43  
 2C and 12:7-34.48).

2D b. P. L. 1965, c. 206, s. 13 (C. 12:7-34.47h).\*\*\*\*\*

3 \***[b. P. L. 1965, c. 206 ss. 6 through 17 (C. 12:7-34.47a through**  
 4 34.47l).]\*

1 \*\*\*\*\*14. \*\*\*\*\***[There is appropriated to the Department of En-**  
 2 *vironmental Protection from the revolving fund established pursu-*  
 3 *ant to this amendatory and supplementary act, the sum of*  
 4 *\$300,000.00, which sum shall be utilized in Fiscal Year 1981 for the*  
 5 *dredging of navigable waterways in this State, and for the mainte-*  
 6 *nance and dredging of these waterways. The appropriation made*  
 7 *herein shall be in addition to any other appropriation heretofore*  
 8 *or hereafter made for these purposes.\*\*\*\*\*]\*\*\*\*\* \*\*\*\*\**There is*  
 9 *appropriated to the Department of Environmental Protection from*  
 10 *the General Fund the sum of \$200,000.00, which sum shall be utilized*  
 11 *in Fiscal Year 1981 to maintain the operations of the State Marine*  
 12 *Police Force.\*\*\*\*\***

1 \***[12.]**\* \*\*\*\*\***[\*13.\*]**\*\*\*\*\* \*\*\*\*\*15.\*\*\*\*\* This act shall take effect  
 2 \*\***[30 days after enactment]**\*\* \*\*immediately\*\* \*\*\*\*\*upon the  
 3 \*\*\*\*\***[effective date]**\*\*\*\*\* \*\*\*\*\*enactment\*\*\*\*\* of Senate Bill  
 4 No. 1407 (now pending in the Legislature)\*\*\*\*\*.

5 (b) The owner of a documented vessel of 500 gross tons or less  
 6 based in this State shall file an application for the registration of  
 7 such vessel with the department on forms approved by it. The  
 8 application shall be signed by the owner and shall be accompanied  
 9 by the fee prescribed herein for the vessel. Upon receipt of the  
 10 application in the approved form and the prescribed fee, the  
 11 department shall enter the same upon the records of its office and  
 12 issue to the applicant a pocket-size certificate of registration which  
 13 shall state the name and address of the owner, a description of  
 14 the vessel, and its use.

15 (c) The certificate of registration shall be available at all times  
 16 for inspection on the vessel for which issued whenever the vessel  
 17 is in operation.

18 (d) The fees for the initial registration of a documented vessel  
 19 and for each renewal thereof, shall be based on the length of  
 20 the vessel and shall be the same as provided for in section 12 of  
 21 P. L. 1962, c. 73 (C. 12:7-34.47) for other vessels of the same  
 22 length.

1 11. The following are repealed:

2 a. P. L. 1962, c. 73 ss. 7 and 8 (C. 12:7-34.42 and 34.43).

3 b. P. L. 1965, c. 206 ss. 6 through 17 (C. 12:7-34.47a through  
 4 34.47l).

1 12. This act shall take effect 30 days after enactment.

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#### STATEMENT

Existing law requires the numbering and payment of fees for power vessels, while other vessels require the services of the New Jersey Marine Police but do not contribute toward funding those services. This bill corrects this inequity by extending the requirement of boat numbering to non-power vessels.

Existing law, last amended in 1972, establishes the fee schedule for boat numbering. This bill authorizes the Commissioner of Environmental Protection to adopt the fee schedule in order to raise additional revenues to meet rising costs.

Existing law exempts power vessels documented with the U.S. Coast Guard from State boating numbering and fees, yet these vessels also require the services of the New Jersey Marine Police, but do not contribute toward funding those services. Federal law prohibits the State from requiring documented boats to display a number, but does not prohibit requiring them to be registered and pay a fee. This bill would require documented vessels to register with the State and pay a fee, according to the fee schedule for boat numbering.

A1027 (1980)

Existing law on "tax-exemption certificates" for vessels requires owners of boats used in business to obtain a tax exemption certificate prior to boat numbering, although a 1977 amendment to the Income Tax law abolished the personal property tax on property acquired after January 1, 1977 and used for business purposes. As a result, the owner of a commercial boat purchased before 1977 must still obtain a tax exemption certificate at a fee of up to \$300.00 per year, plus a \$5.00 annual boat numbering fee (referred to as "commercial registration"), while the owner of a vessel purchased after 1977 and used for commercial purposes need only pay the \$5.00 fee. This bill corrects this inequity and repeals all sections of the boating law related to tax-exemption certificates. The same fees would then be charged for commercial and recreational boat numbering and registration.

This bill revises the rules and regulations section of the law to conform with the Administrative Procedure Act insofar as emergency rules and regulations are concerned.

This bill revises the violations and penalties section of the law to conform with the new Criminal Code which took effect September 1, 1979.

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ASSEMBLY AGRICULTURE AND ENVIRONMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1027**  
with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 1980

The major purposes of this bill are to raise revenues from boat registration fees to adequately support the Bureau of Marine Law Enforcement and to extend the requirement to register to nonpower and documented vessels.

The Assembly Agriculture and Environment Committee amended the bill to:

1. Cap registration fees by establishing a maximum fee schedule that may be adopted by the department;
2. Reduce the fee for an exemption certificate from the personal property tax so as to restore equity between commercial boat owners who purchased their boats before and after 1977;
3. Exempt from registration all boats brought within the State exclusively for racing;
4. Close a potential loophole by means of which purchasers of vessels in New Jersey who had their craft delivered to, and registered in, another state could escape the sales tax;
5. Redefines "waters of the State" to exclude bodies totally enclosed by private lands.

SENATE AMENDMENT TO  
**ASSEMBLY, No. 1027**

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**STATE OF NEW JERSEY**

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ADOPTED JUNE 26, 1980

Amend page 7, section 13, line 2, omit “immediately”, insert “upon the effective date of Senate Bill No. 1407 (now pending in the Legislature)”.

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STATEMENT

This amendment would provide that increased boat fees take effect upon the transfer of the Marine Police from the Department of Environmental Protection to the Division of State Police in the Department of Law and Public Safety.

SENATE AMENDMENTS TO  
**ASSEMBLY, No. 1027**

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**STATE OF NEW JERSEY**

ADOPTED JUNE 26, 1980

Amend page 1, title, line 4, omit "7 and 8 thereof and".

Amend page 1, title, line 5, omit "and", insert "7, 8 and 13 thereof and section 13 of P. L. 1965, c. 206"; after "c. 206", insert "and making an appropriation".

Amend page 7, section 11, after line 10, insert new section 12 as follows:

"12. (New section) All fees received pursuant to P. L. 1962, c. 73 (C. 12:7-34.36 et seq.) and P. L. 1965, c. 206 (C. 12:7-34.47a et seq.) shall be deposited as part of the State's general funds with the State Treasurer, who shall keep a record of the same. The sums shall be credited to a permanent revolving fund for the then current fiscal year and thereafter, from year to year, as a replacement thereof, and shall not lapse into the unappropriated funds of the State Treasury, to be utilized as follows:

a. \$300,000.00 of these sums and 25% of the increase in revenues collected pursuant to this amendatory and supplementary act shall annually be appropriated and utilized for the purpose of dredging the navigable waterways of this State, and for the maintenance and re-dredging of such waterways;

b. Of the remainder of these sums:

(1) 90% thereof shall annually be appropriated and utilized for the purpose of meeting necessary administrative expenses of implementing P. L. 1962, c. 73 (C. 12:7-34.36 et seq.) and P. L. 1965, c. 206 (C. 12:7-34.47a et seq.); and,

(2) 10% of the remainder of these sums shall annually be appropriated to expand and maintain the State Marine Police Force in the Division of State Police in the Department of Law and Public Safety."

Amend page 7, section 12, line 1, omit "12.", insert "13."

Amend page 7, section 12, line 2, omit entirely.

Amend page 7, section 12, after line 4, insert: "a. P. L. 1962, c. 73, ss. 7, 8 and 13 (C. 12:7-34.42, 12:7-34.43 and 12:7-34.48).

b. P. L. 1965, c. 206, s. 13 (C. 12:7-34.47h)."

Insert new section 14 as follows:

"14. There is appropriated to the Department of Environmental Protection from the revolving fund established pursuant to this amendatory and supplementary act, the sum of \$300,000.00, which sum shall be utilized in Fiscal Year 1981 for the dredging of navigable waterways in this State, and for the maintenance and redredging of these waterways. The appropriation made herein shall be in addition to any other appropriation heretofore or hereafter made for these purposes."

Amend page 7, section 13, line 1, omit "13.", insert "15."

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#### STATEMENT

These amendments would dedicate boat fees to fund the administrative expenses of the boat registration program, the operations of the Marine Police, and the dredging of navigable waterways in this State.

These amendments also appropriate \$300,000.00, for such dredging.

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