

32:20A-5.1
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2009 **CHAPTER:** 310

NJSA: 32:20A-5.1 (Authorizes Greenwood Lake Commission to charge fees)

BILL NO: S1833 (Substituted for A2649)

SPONSOR(S) Smith and Others

DATE INTRODUCED: May 15, 2008

COMMITTEE: **ASSEMBLY:** ---

SENATE: Environment
 Budget and Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 11, 2010

SENATE: June 23, 2008

DATE OF APPROVAL: January 18, 2010

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First reprint enacted)

S1833

SPONSOR'S STATEMENT:	(Begins on page 6 of introduced bill)	Yes	
COMMITTEE STATEMENT:		No	
	ASSEMBLY:		
	SENATE:	Yes	Environment 6-9-08 Budget 6-19-08

(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:	Yes

A2649

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: No

OTHER: Yes

Greenwood Lake Commission progress report: 2000-2006.

By Greenwood Lake Commission (N.J. and N.Y.) [Greenwood Lake, NY: The Commission, 2006]

<http://www.njstatelib.org/digit/w333/w3332006a.pdf>

LAW/RWH

[First Reprint]

SENATE, No. 1833

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED MAY 15, 2008

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Co-Sponsored by:

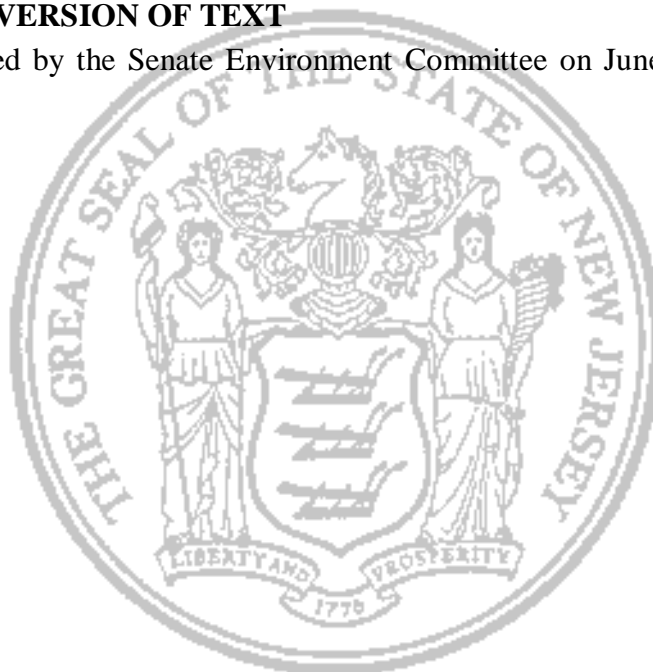
Assemblywomen Evans, Voss and Assemblyman Giblin

SYNOPSIS

Authorizes Greenwood Lake Commission to charge fees.

CURRENT VERSION OF TEXT

As reported by the Senate Environment Committee on June 9, 2008, with amendments.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning the authority of the Greenwood Lake
2 Commission ¹[and the Lake Hopatcong Commission]¹, and
3 supplementing P.L.1999, c.402 (C.32:20A-1 et seq.) ¹[and
4 amending and supplementing P.L.2000, c.175]¹.
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 1. (New section) a. The Greenwood Lake Commission may
10 establish and assess fees to be paid to the commission as follows:

11 (1) on the owner of a dock, wharf or mooring on Greenwood
12 Lake used for non-commercial residential purposes an annual fee of
13 \$37.50;

14 (2) on the owner of a dock or wharf on Greenwood Lake used for
15 commercial purposes an annual fee of \$3.75 per linear foot for each
16 such dock or wharf;

17 (3) on the owner of a mooring on Greenwood Lake used for
18 commercial purposes an annual fee of \$75 for each mooring; and

19 (4) on the owner of a new dock on Greenwood Lake constructed
20 for commercial use after the effective date of this section a first
21 time fee of \$7.50 per linear foot and a fee of \$3.75 per linear foot
22 annually thereafter.

23 b. (1) In addition to any other registration or fee required by the
24 State, the Greenwood Lake Commission may require the owner of
25 any mechanically propelled boat or vessel with 10 or more
26 horsepower, and any non-mechanically propelled boat or vessel
27 18 or more feet in length, used on Greenwood Lake to obtain and
28 possess an annual permit issued by the commission, and assess a fee
29 therefor as follows:

30 (a) for boats or vessels 20 feet or less in length overall -- \$30;

31 (b) for boats or vessels 21 to 25 feet in length overall -- \$37.50;

32 (c) for boats or vessels over 25 feet in length overall -- \$37.50
33 plus an additional \$7.50 for each foot by which the length overall
34 exceeds 25 feet; and

35 (d) for boats or vessels over 25 feet in length overall outfitted for
36 overnight use -- \$37.50 plus an additional \$30 for each foot by
37 which the overall length exceeds 25 feet.

38 (2) Notwithstanding the provisions of paragraph (1) of this
39 subsection to the contrary, the commission may establish a one
40 week use permit for \$11.25 and a one-day use permit for \$7.50 for
41 any mechanically propelled boat or vessel or non-mechanically
42 propelled boat or vessel subject to the annual fee established in
43 paragraph (1) of this subsection.

44 c. The Greenwood Lake Commission may charge a fee to an
45 applicant for a permit issued pursuant to this section in order to

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 June 9, 2008.

1 recover the costs incurred in reviewing and acting upon an
2 application for such permit.

3 d. The Greenwood Lake Commission shall establish a separate,
4 nonlapsing, dedicated account to be known as the “Greenwood
5 Lake Commission Fund.” All fees and other monies collected by
6 the Greenwood Lake Commission pursuant to this section, or any
7 rule or regulation adopted pursuant thereto, shall be deposited into
8 this fund. Any investment earnings on monies in the fund shall
9 accrue to the fund and shall be available subject to the same terms
10 and conditions as other monies in the fund. The moneys in the fund
11 shall be used by the Greenwood Lake Commission for the purposes
12 set forth in P.L.1999, c.402 (C.32:20A-1 et seq.).
13

14 ¹[2. (New section) a. In addition to any registration or fee
15 required by the State, the Lake Hopatcong Commission may issue
16 an annual permit and assess an annual fee of \$100 per boat or vessel
17 on the owner or operator of any mechanically propelled boat or
18 vessel with 10 or more horsepower, and any non-mechanically
19 propelled boat or vessel 16 or more feet in length, used on Lake
20 Hopatcong, to be paid to the Lake Hopatcong Commission.

21 b. Notwithstanding the provisions of subsection a. of this section
22 to the contrary, the Lake Hopatcong Commission or its authorized
23 agent may establish a seven consecutive day use permit of \$50 and
24 a one-day use permit of \$20 for any mechanically propelled boat or
25 vessel or non-mechanically propelled boat or vessel subject to the
26 annual fee established in subsection a. of this section.

27 c. Notwithstanding the provisions of subsections a. and b. of this
28 section to the contrary, the Lake Hopatcong Commission may issue
29 a special event permit, to be issued to the sponsor of an event, for a
30 fee of \$200 except that the commission shall not require a special
31 event permit or charge a fee for any event sponsored or sanctioned
32 by the Department of Environmental Protection.

33 d. The following are exempt from the fees imposed pursuant to
34 this section:

35 (1) Any federal, state or local government-owned, operated or
36 financed boat or vessel, including but not limited to harvesters and
37 transport barges, that are on Lake Hopatcong performing a public
38 purpose;

39 (2) Any boat or vessel owned or operated by the Lake Hopatcong
40 Commission;

41 (3) Any lifeboat serving any ship operating on Lake Hopatcong;

42 (4) Any non-motorized boat or vessel less than 16 feet in length;

43 (5) Any racing vessel while racing on Lake Hopatcong under a
44 New Jersey State Police, Marine Services Bureau, permit; or

45 (6) Any canoe, kayak, dinghy, or non-motorized inflatable less
46 than 16 feet in length.

47 e. The commission may annually increase any fee authorized
48 pursuant to this section in accordance with changes in the Consumer

1 Price Index for the New York City and Philadelphia areas reported
2 by the Bureau of Labor Statistics of the United States Department
3 of Labor.】¹

4
5 ¹[3. (New section) a. The Lake Hopatcong Commission or its
6 authorized agent shall, upon receipt of payment of the fee by the
7 owner of a boat or vessel required to obtain a permit and pay a fee
8 pursuant to section 2 of P.L. , c. (C.) (pending before the
9 Legislature as this bill), issue to the owner or operator of that boat
10 or vessel permit stickers that shall be visibly displayed on each side
11 of the vessel. The commission shall designate the required location
12 for the display of the sticker issued pursuant to this section. No
13 stickers other than the State-issued validation stickers, which are
14 required pursuant to State or federal regulation to be displayed three
15 inches behind the State registration number assigned to the vessel,
16 shall be displayed on the bow of the boat or vessel.

17 b. The owner of any boat or vessel that operates on Lake
18 Hopatcong shall be liable to a summons from the New Jersey State
19 Police, the New Jersey State Park Police, a State conservation
20 officer, or a sworn New Jersey law enforcement officer, and
21 payment of the following penalties, which may be assessed in
22 municipal court, if the boat or vessel does not display the
23 appropriate sticker required pursuant to subsection a. of this
24 section:

- 25 (1) \$150 for a first offense;
26 (2) \$250 for a second offense;
27 (3) \$400 for a third or subsequent offense.

28 c. No marina, commercial launching facility, State park facility,
29 or county park facility on Lake Hopatcong shall authorize a boat or
30 vessel to launch from or moor at that facility or from any rental slip
31 controlled by the facility without displaying the appropriate sticker
32 required pursuant to subsection a. of this section.

33 d. The owner of any marina, commercial launching facility, State
34 park facility, or county park facility on Lake Hopatcong who
35 violates subsection c. of this section, shall be liable to a summons
36 from the New Jersey State Police, the New Jersey State Park Police,
37 a State conservation officer, or a sworn New Jersey law
38 enforcement officer, and payment of a \$1,000 penalty per violation,
39 which may be assessed in municipal court. For purposes of this
40 section, each boat or vessel found at a marina or launching facility
41 on Lake Hopatcong that does not display the appropriate sticker
42 required pursuant to this section shall constitute a separate violation
43 and each day during which the violation continues shall constitute
44 an additional, separate, and distinct offense.

45 e. For any penalty collected pursuant to this section, 10 percent
46 thereof shall be provided to the entity issuing the summons to cover
47 its costs, 10 percent thereof shall be provided to the appropriate
48 municipal court to cover its costs and the remaining amount shall be

1 deposited into the “Lake Hopatcong Water Quality Protection
2 Fund” established pursuant to section 4 of P.L. , c. (C.)
3 (pending before the Legislature as this bill).¹

4
5 ¹[4. (New section) There is established in the Department of
6 Environmental Protection a separate, nonlapsing, account to be
7 known as the “Lake Hopatcong Water Quality Protection Fund.”
8 All fees and other monies collected by the Lake Hopatcong
9 Commission pursuant to section 2 and 3 of P.L., c. (C.) (pending
10 before the Legislature as this bill), and any monies as are
11 appropriated by the Legislature for the purposes of the fund shall be
12 deposited into the fund. Any investment earnings on monies in the
13 fund shall accrue to the fund and shall be available subject to the
14 same terms and conditions as other monies in the fund. The monies
15 in the fund shall be used by the Lake Hopatcong Commission to
16 perform its duties pursuant to P.L.2000, c.175 (C.58:4B-1 et seq.).
17 The Legislature shall annually appropriate to the Lake Hopatcong
18 Commission an amount equivalent to the amount anticipated to be
19 collected as fees pursuant to section 2 of P.L. , c. (C.)
20 (pending before the Legislature as this bill), for use by the Lake
21 Hopatcong Commission to perform its duties pursuant to P.L.2000,
22 c.175 (C.58:4B-1 et seq.).¹

23
24 ¹[5. Section 5 of P.L. 2000, c.175 (C.58:4B-5) is amended to
25 read as follows:

26 5. The Lake Hopatcong Commission shall have power to:

27 a. sue and be sued;

28 b. adopt bylaws for the regulation of its affairs and the conduct
29 of its business;

30 c. make and execute contracts and all other instruments
31 necessary or convenient for the exercise of its powers, duties, and
32 responsibilities under this act;

33 d. establish, construct if necessary, and maintain such offices
34 and facilities as may be necessary for the transacting of its business;
35 and, if deemed appropriate by the commission, establish, or
36 construct if necessary, those offices and facilities on land at Lake
37 Hopatcong State Park or on State land at other appropriate locations
38 around or nearby the lake;

39 e. contract for professional and technical assistance; **[and]**

40 f. contract for and accept assistance, including but not limited to
41 gifts, grants, or loans of funds or of property from the federal
42 government or any agency or instrumentality thereof, from any
43 agency or instrumentality of the State or local government, or from
44 any other public or private source, and to comply, subject to the
45 provisions of this act, with the terms and conditions thereof ; and

46 g. issue permits and assess fees as provided in section 2 of

1 P.L. _____, c. (C.) (pending before the Legislature as this bill).
2 (cf: P.L.2000, c.175, s.5)]¹

3
4 ¹[6. Section 1 of this] 2. This¹ act shall take effect upon the
5 enactment into law by the State of New York of legislation having
6 substantially similar effect as ¹[that section] this act¹, or if the
7 State of New York shall have already enacted such legislation,
8 ¹[section 1] this act¹ shall take effect immediately. ¹[The
9 remainder of this act shall take effect on July 1, 2008 or the date of
10 enactment, whichever is later.]¹

SENATE, No. 1833

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED MAY 15, 2008

Sponsored by:
Senator BOB SMITH
District 17 (Middlesex and Somerset)

SYNOPSIS

Authorizes Greenwood Lake Commission and Lake Hopatcong Commission to charge fees.

CURRENT VERSION OF TEXT

As introduced.



S1833 B. SMITH

2

1 AN ACT concerning the authority of the Greenwood Lake
2 Commission and the Lake Hopatcong Commission, and
3 supplementing P.L.1999, c.402 (C.32:20A-1 et seq.) and
4 amending and supplementing P.L.2000, c.175.

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

8
9 1. (New section) a. The Greenwood Lake Commission may
10 establish and assess fees to be paid to the commission as follows:

11 (1) on the owner of a dock, wharf or mooring on Greenwood
12 Lake used for non-commercial residential purposes an annual fee of
13 \$37.50;

14 (2) on the owner of a dock or wharf on Greenwood Lake used for
15 commercial purposes an annual fee of \$3.75 per linear foot for each
16 such dock or wharf;

17 (3) on the owner of a mooring on Greenwood Lake used for
18 commercial purposes an annual fee of \$75 for each mooring; and

19 (4) on the owner of a new dock on Greenwood Lake constructed
20 for commercial use after the effective date of this section a first
21 time fee of \$7.50 per linear foot and a fee of \$3.75 per linear foot
22 annually thereafter.

23 b. (1) In addition to any other registration or fee required by the
24 State, the Greenwood Lake Commission may require the owner of
25 any mechanically propelled boat or vessel with 10 or more
26 horsepower, and any non-mechanically propelled boat or vessel 18
27 or more feet in length, used on Greenwood Lake to obtain and
28 possess an annual permit issued by the commission, and assess a fee
29 therefor as follows:

30 (a) for boats or vessels 20 feet or less in length overall -- \$30;

31 (b) for boats or vessels 21 to 25 feet in length overall -- \$37.50;

32 (c) for boats or vessels over 25 feet in length overall -- \$37.50
33 plus an additional \$7.50 for each foot by which the length overall
34 exceeds 25 feet; and

35 (d) for boats or vessels over 25 feet in length overall outfitted for
36 overnight use -- \$37.50 plus an additional \$30 for each foot by
37 which the overall length exceeds 25 feet.

38 (2) Notwithstanding the provisions of paragraph (1) of this
39 subsection to the contrary, the commission may establish a one
40 week use permit for \$11.25 and a one-day use permit for \$7.50 for
41 any mechanically propelled boat or vessel or non-mechanically
42 propelled boat or vessel subject to the annual fee established in
43 paragraph (1) of this subsection.

44 c. The Greenwood Lake Commission may charge a fee to an
45 applicant for a permit issued pursuant to this section in order to

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 recover the costs incurred in reviewing and acting upon an
2 application for such permit.

3 d. The Greenwood Lake Commission shall establish a separate,
4 nonlapsing, dedicated account to be known as the “Greenwood
5 Lake Commission Fund.” All fees and other monies collected by
6 the Greenwood Lake Commission pursuant to this section, or any
7 rule or regulation adopted pursuant thereto, shall be deposited into
8 this fund. Any investment earnings on monies in the fund shall
9 accrue to the fund and shall be available subject to the same terms
10 and conditions as other monies in the fund. The moneys in the fund
11 shall be used by the Greenwood Lake Commission for the purposes
12 set forth in P.L.1999, c.402 (C.32:20A-1 et seq.).

13

14 2. (New section) a. In addition to any registration or fee
15 required by the State, the Lake Hopatcong Commission may issue
16 an annual permit and assess an annual fee of \$100 per boat or vessel
17 on the owner or operator of any mechanically propelled boat or
18 vessel with 10 or more horsepower, and any non-mechanically
19 propelled boat or vessel 16 or more feet in length, used on Lake
20 Hopatcong, to be paid to the Lake Hopatcong Commission.

21 b. Notwithstanding the provisions of subsection a. of this section
22 to the contrary, the Lake Hopatcong Commission or its authorized
23 agent may establish a seven consecutive day use permit of \$50 and
24 a one-day use permit of \$20 for any mechanically propelled boat or
25 vessel or non-mechanically propelled boat or vessel subject to the
26 annual fee established in subsection a. of this section.

27 c. Notwithstanding the provisions of subsections a. and b. of this
28 section to the contrary, the Lake Hopatcong Commission may issue
29 a special event permit, to be issued to the sponsor of an event, for a
30 fee of \$200 except that the commission shall not require a special
31 event permit or charge a fee for any event sponsored or sanctioned
32 by the Department of Environmental Protection.

33 d. The following are exempt from the fees imposed pursuant to
34 this section:

35 (1) Any federal, state or local government-owned, operated or
36 financed boat or vessel, including but not limited to harvesters and
37 transport barges, that are on Lake Hopatcong performing a public
38 purpose;

39 (2) Any boat or vessel owned or operated by the Lake Hopatcong
40 Commission;

41 (3) Any lifeboat serving any ship operating on Lake Hopatcong;

42 (4) Any non-motorized boat or vessel less than 16 feet in length;

43 (5) Any racing vessel while racing on Lake Hopatcong under a
44 New Jersey State Police, Marine Services Bureau, permit; or

45 (6) Any canoe, kayak, dinghy, or non-motorized inflatable less
46 than 16 feet in length.

47 e. The commission may annually increase any fee authorized
48 pursuant to this section in accordance with changes in the Consumer

S1833 B. SMITH

4

1 Price Index for the New York City and Philadelphia areas reported
2 by the Bureau of Labor Statistics of the United States Department
3 of Labor.

4

5 3. (New section) a. The Lake Hopatcong Commission or its
6 authorized agent shall, upon receipt of payment of the fee by the
7 owner of a boat or vessel required to obtain a permit and pay a fee
8 pursuant to section 2 of P.L. , c. (C.) (pending before the
9 Legislature as this bill), issue to the owner or operator of that boat
10 or vessel permit stickers that shall be visibly displayed on each side
11 of the vessel. The commission shall designate the required location
12 for the display of the sticker issued pursuant to this section. No
13 stickers other than the State-issued validation stickers, which are
14 required pursuant to State or federal regulation to be displayed three
15 inches behind the State registration number assigned to the vessel,
16 shall be displayed on the bow of the boat or vessel.

17 b. The owner of any boat or vessel that operates on Lake
18 Hopatcong shall be liable to a summons from the New Jersey State
19 Police, the New Jersey State Park Police, a State conservation
20 officer, or a sworn New Jersey law enforcement officer, and
21 payment of the following penalties, which may be assessed in
22 municipal court, if the boat or vessel does not display the
23 appropriate sticker required pursuant to subsection a. of this
24 section:

- 25 (1) \$150 for a first offense;
26 (2) \$250 for a second offense;
27 (3) \$400 for a third or subsequent offense.

28 c. No marina, commercial launching facility, State park facility,
29 or county park facility on Lake Hopatcong shall authorize a boat or
30 vessel to launch from or moor at that facility or from any rental slip
31 controlled by the facility without displaying the appropriate sticker
32 required pursuant to subsection a. of this section.

33 d. The owner of any marina, commercial launching facility, State
34 park facility, or county park facility on Lake Hopatcong who
35 violates subsection c. of this section, shall be liable to a summons
36 from the New Jersey State Police, the New Jersey State Park Police,
37 a State conservation officer, or a sworn New Jersey law
38 enforcement officer, and payment of a \$1,000 penalty per violation,
39 which may be assessed in municipal court. For purposes of this
40 section, each boat or vessel found at a marina or launching facility
41 on Lake Hopatcong that does not display the appropriate sticker
42 required pursuant to this section shall constitute a separate violation
43 and each day during which the violation continues shall constitute
44 an additional, separate, and distinct offense.

45 e. For any penalty collected pursuant to this section, 10 percent
46 thereof shall be provided to the entity issuing the summons to cover
47 its costs, 10 percent thereof shall be provided to the appropriate
48 municipal court to cover its costs and the remaining amount shall be

1 deposited into the “Lake Hopatcong Water Quality Protection
2 Fund” established pursuant to section 4 of P.L. , c. (C.)
3 (pending before the Legislature as this bill).

4
5 4. (New section) There is established in the Department of
6 Environmental Protection a separate, nonlapsing, account to be
7 known as the “Lake Hopatcong Water Quality Protection Fund.”
8 All fees and other monies collected by the Lake Hopatcong
9 Commission pursuant to section 2 and 3 of P.L., c. (C.) (pending
10 before the Legislature as this bill), and any monies as are
11 appropriated by the Legislature for the purposes of the fund shall be
12 deposited into the fund. Any investment earnings on monies in the
13 fund shall accrue to the fund and shall be available subject to the
14 same terms and conditions as other monies in the fund. The monies
15 in the fund shall be used by the Lake Hopatcong Commission to
16 perform its duties pursuant to P.L.2000, c.175 (C.58:4B-1 et seq.).
17 The Legislature shall annually appropriate to the Lake Hopatcong
18 Commission an amount equivalent to the amount anticipated to be
19 collected as fees pursuant to section 2 of P.L. , c. (C.)
20 (pending before the Legislature as this bill), for use by the Lake
21 Hopatcong Commission to perform its duties pursuant to P.L.2000,
22 c.175 (C.58:4B-1 et seq.).

23
24 5. Section 5 of P.L. 2000, c.175 (C.58:4B-5) is amended to read
25 as follows:

26 5. The Lake Hopatcong Commission shall have power to:

27 a. sue and be sued;

28 b. adopt bylaws for the regulation of its affairs and the conduct
29 of its business;

30 c. make and execute contracts and all other instruments
31 necessary or convenient for the exercise of its powers, duties, and
32 responsibilities under this act;

33 d. establish, construct if necessary, and maintain such offices
34 and facilities as may be necessary for the transacting of its business;
35 and, if deemed appropriate by the commission, establish, or
36 construct if necessary, those offices and facilities on land at Lake
37 Hopatcong State Park or on State land at other appropriate locations
38 around or nearby the lake;

39 e. contract for professional and technical assistance; **[and]**

40 f. contract for and accept assistance, including but not limited to
41 gifts, grants, or loans of funds or of property from the federal
42 government or any agency or instrumentality thereof, from any
43 agency or instrumentality of the State or local government, or from
44 any other public or private source, and to comply, subject to the
45 provisions of this act, with the terms and conditions thereof ; and

46 g. issue permits and assess fees as provided in section 2 of
47 P.L. , c. (C.) (pending before the Legislature as this bill).

48 (cf: P.L.2000, c.175, s.5)

1 6. Section 1 of this act shall take effect upon the enactment into
2 law by the State of New York of legislation having substantially
3 similar effect as that section, or if the State of New York shall have
4 already enacted such legislation, section 1 shall take effect
5 immediately. The remainder of this act shall take effect on July 1,
6 2008 or the date of enactment, whichever is later.

7

8

9

STATEMENT

10

11 This bill would authorize the Greenwood Lake Commission and
12 the Lake Hopatcong Commission to charge certain fees. This bill
13 would authorize the Greenwood Lake Commission, created by
14 P.L.1999, c.402, to charge certain specified fees for docks, wharfs,
15 moorings and boats on the lake. Legislation setting forth these
16 same specified fees passed the New York Legislature in August,
17 2006. This bill would require the commission to create a dedicated
18 account to be known as the "Greenwood Lake Commission Fund"
19 into which the fees would be deposited.

20

21 The bill would also authorize the Lake Hopatcong Commission
22 to charge an annual permit fee of \$100 on the owner or operator of
23 any mechanically propelled boat or vessel with 10 or more
24 horsepower, and any non-mechanically propelled boat or vessel 16
25 or more feet in length, used on Lake Hopatcong. The Lake
26 Hopatcong Commission would also be authorized to establish a
27 seven consecutive day use permit of \$50 and a one-day use permit
28 of \$20 for any mechanically propelled boat or vessel or non-
29 mechanically propelled boat or vessel subject to the annual fee.
30 The Lake Hopatcong Commission, upon receipt of payment of the
31 fee, would issue to the owner or operator of that boat or vessel a
32 permit sticker that would be required to be visibly displayed on
33 each side of the vessel prior to its operation on Lake Hopatcong.
34 The bill would prohibit a boat or vessel from launching from, or
35 mooring at, any marina, commercial launching facility, or State or
36 county park on the lake unless the boat or vessel displays the
37 appropriate sticker. Penalties for boat sticker violations would be
38 \$150 for a first offense, \$250 for a second offense, and \$400 for a
39 third or subsequent offense. The bill would impose a penalty of
40 \$1,000 upon any marina, commercial launching facility, State park
41 facility, or county park facility on Lake Hopatcong that allows any
42 boat or vessel to launch from or moor at that facility or from any
43 rental slip controlled by the facility without displaying the
44 appropriate sticker. The bill would establish the "Lake Hopatcong
45 Water Quality Protection Fund" into which the fees and fines
would be deposited.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 1833

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 2008

The Senate Environment Committee favorably reports Senate Bill No. 1833 with committee amendments.

This bill, as amended, would authorize the Greenwood Lake Commission to charge certain fees. This bill would authorize the Greenwood Lake Commission, created by P.L.1999, c.402, to charge certain specified fees for docks, wharfs, moorings and boats on the lake. Legislation setting forth these same specified fees passed the New York Legislature in August, 2006. This bill would require the commission to create a dedicated account to be known as the "Greenwood Lake Commission Fund" into which the fees would be deposited.

The committee amended to bill to delete the sections that would have authorized the Lake Hopatcong Commission to charge certain fees.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1833

STATE OF NEW JERSEY

DATED: JUNE 19, 2008

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1833 (1R).

This bill would authorize the Greenwood Lake Commission to charge certain fees. This bill would authorize the Greenwood Lake Commission, created by P.L.1999, c.402, to charge certain specified fees for docks, wharfs, moorings and boats on the lake. Legislation setting forth these same specified fees passed the New York Legislature in August, 2006. This bill would require the commission to create a dedicated account to be known as the “Greenwood Lake Commission Fund” into which the fees would be deposited.

This bill is identical to Assembly Bill No. 2649 (1R).

FISCAL IMPACT:

The OLS estimates that the bill’s enactment will have no fiscal impact on the State budget or on local government budgets because the Greenwood Lake Commission does not receive regular funding or support from these sources. The fees established under the bill will be imposed, collected and used solely by the commission for its ongoing administrative and capital operations. The commission is a bi-state agency supported by federal, state, and local grants, local government donations and volunteers. Although the OLS cannot estimate the amount of revenues collected from future boat fees, the commission estimates that approximately \$140,000 would be collected from boat fees authorized by the New York State version of this bill.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 1833

STATE OF NEW JERSEY 213th LEGISLATURE

DATED: JUNE 17, 2008

SUMMARY

Synopsis: Authorizes Greenwood Lake Commission to charge fees.

Type of Impact: New revenue source for Greenwood Lake Commission.

Agencies Affected: Greenwood Lake Commission

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost			
State Revenue	No impact on State or local government budgets.		

- The bill authorizes the Greenwood Lake Commission to charge certain specified fees for docks, wharfs, moorings and boats on the lake.
- The bill creates a dedicated account to be known as the “Greenwood Lake Commission Fund” into which the fees would be deposited and used by the commission for general and capital operating expenses.
- The Greenwood Lake Commission is a bistate agency created with New York State in 1999 for the purpose of protecting and enhancing the environmental quality of the lake. A bill similar to this bill passed the New York State Legislature in 2006.
- The Office of Legislative Services (OLS) estimates that the bill will have no fiscal impact on State or local government budgets. The OLS also cannot estimate the amount of revenues that may be generated for the commission under the bill.

BILL DESCRIPTION

Senate Bill No. 1833 (1R) of 2008 would authorize the Greenwood Lake Commission to charge certain specified fees for docks, wharfs, moorings and boats on the lake. Legislation setting forth these same specified fees passed the New York Legislature in August, 2006. The

bill would require the commission to create a dedicated account to be known as the “Greenwood Lake Commission Fund” into which the fees would be deposited and used by the commission for the purposes set forth in the statute creating it.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the bill’s enactment will have no fiscal impact on the State Budget or on local government budgets because the Greenwood Lake Commission does not receive regular funding or support from these bodies. The creation of fees under the bill will be imposed, collected and used solely by the commission for its ongoing administrative and capital operations. The commission is a bistate agency supported by federal, state, and local grants, local government donations and volunteers. Although the OLS cannot estimate the amount of revenues collected from future boat fees, the commission estimates that approximately \$140,000 would be collected from boat fees authorized by the New York State version of this bill.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

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

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C. 52:13B-1 et seq.).

ASSEMBLY, No. 2649

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MAY 12, 2008

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex)

SYNOPSIS

Authorizes Greenwood Lake Commission and Lake Hopatcong Commission to charge fees.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the authority of the Greenwood Lake
2 Commission and the Lake Hopatcong Commission, and
3 supplementing P.L.1999, c.402 (C.32:20A-1 et seq.) and
4 amending and supplementing P.L.2000, c.175.

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

8
9 1. (New section) a. The Greenwood Lake Commission may
10 establish and assess fees to be paid to the commission as follows:

11 (1) on the owner of a dock, wharf or mooring on Greenwood
12 Lake used for non-commercial residential purposes an annual fee of
13 \$37.50;

14 (2) on the owner of a dock or wharf on Greenwood Lake used for
15 commercial purposes an annual fee of \$3.75 per linear foot for each
16 such dock or wharf;

17 (3) on the owner of a mooring on Greenwood Lake used for
18 commercial purposes an annual fee of \$75 for each mooring; and

19 (4) on the owner of a new dock on Greenwood Lake constructed
20 for commercial use after the effective date of this section a first
21 time fee of \$7.50 per linear foot and a fee of \$3.75 per linear foot
22 annually thereafter.

23 b. (1) In addition to any other registration or fee required by the
24 State, the Greenwood Lake Commission may require the owner of
25 any mechanically propelled boat or vessel with 10 or more
26 horsepower, and any non-mechanically propelled boat or vessel 18
27 or more feet in length, used on Greenwood Lake to obtain and
28 possess an annual permit issued by the commission, and assess a fee
29 therefor as follows:

30 (a) for boats or vessels 20 feet or less in length overall -- \$30;

31 (b) for boats or vessels 21 to 25 feet in length overall -- \$37.50;

32 (c) for boats or vessels over 25 feet in length overall -- \$37.50
33 plus an additional \$7.50 for each foot by which the length overall
34 exceeds 25 feet; and

35 (d) for boats or vessels over 25 feet in length overall outfitted for
36 overnight use -- \$37.50 plus an additional \$30 for each foot by
37 which the overall length exceeds 25 feet.

38 (2) Notwithstanding the provisions of paragraph (1) of this
39 subsection to the contrary, the commission may establish a one
40 week use permit for \$11.25 and a one-day use permit for \$7.50 for
41 any mechanically propelled boat or vessel or non-mechanically
42 propelled boat or vessel subject to the annual fee established in
43 paragraph (1) of this subsection.

44 c. The Greenwood Lake Commission may charge a fee to an
45 applicant for a permit issued pursuant to this section in order to

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 recover the costs incurred in reviewing and acting upon an
2 application for such permit.

3 d. The Greenwood Lake Commission shall establish a separate,
4 nonlapsing, dedicated account to be known as the "Greenwood
5 Lake Commission Fund." All fees and other monies collected by
6 the Greenwood Lake Commission pursuant to this section, or any
7 rule or regulation adopted pursuant thereto, shall be deposited into
8 this fund. Any investment earnings on monies in the fund shall
9 accrue to the fund and shall be available subject to the same terms
10 and conditions as other monies in the fund. The moneys in the fund
11 shall be used by the Greenwood Lake Commission for the purposes
12 set forth in P.L.1999, c.402 (C.32:20A-1 et seq.).

13

14 2. (New section) a. In addition to any registration or fee
15 required by the State, the Lake Hopatcong Commission may issue
16 an annual permit and assess an annual fee of \$100 per boat or vessel
17 on the owner or operator of any mechanically propelled boat or
18 vessel with 10 or more horsepower, and any non-mechanically
19 propelled boat or vessel 16 or more feet in length, used on Lake
20 Hopatcong, to be paid to the Lake Hopatcong Commission.

21 b. Notwithstanding the provisions of subsection a. of this section
22 to the contrary, the Lake Hopatcong Commission or its authorized
23 agent may establish a seven consecutive day use permit of \$50 and
24 a one-day use permit of \$20 for any mechanically propelled boat or
25 vessel or non-mechanically propelled boat or vessel subject to the
26 annual fee established in subsection a. of this section.

27 c. Notwithstanding the provisions of subsections a. and b. of this
28 section to the contrary, the Lake Hopatcong Commission may issue
29 a special event permit, to be issued to the sponsor of an event, for a
30 fee of \$200 except that the commission shall not require a special
31 event permit or charge a fee for any event sponsored or sanctioned
32 by the Department of Environmental Protection.

33 d. The following are exempt from the fees imposed pursuant to
34 this section:

35 (1) Any federal, state or local government-owned, operated or
36 financed boat or vessel, including but not limited to harvesters and
37 transport barges, that are on Lake Hopatcong performing a public
38 purpose;

39 (2) Any boat or vessel owned or operated by the Lake Hopatcong
40 Commission;

41 (3) Any lifeboat serving any ship operating on Lake Hopatcong;

42 (4) Any non-motorized boat or vessel less than 16 feet in length;

43 (5) Any racing vessel while racing on Lake Hopatcong under a
44 New Jersey State Police, Marine Services Bureau, permit; or

45 (6) Any canoe, kayak, dinghy, or non-motorized inflatable less
46 than 16 feet in length.

47 e. The commission may annually increase any fee authorized
48 pursuant to this section in accordance with changes in the Consumer

1 Price Index for the New York City and Philadelphia areas, as
2 reported by the Bureau of Labor Statistics of the United States
3 Department of Labor.

4
5 3. (New section) a. The Lake Hopatcong Commission or its
6 authorized agent shall, upon receipt of payment of the fee by the
7 owner of a boat or vessel required to obtain a permit and pay a fee
8 pursuant to section 2 of P.L. , c. (C.) (pending before the
9 Legislature as this bill), issue to the owner or operator of that boat
10 or vessel permit stickers that shall be visibly displayed on each side
11 of the vessel. The commission shall designate the required location
12 for the display of the sticker issued pursuant to this section. No
13 stickers other than the State-issued validation stickers, which are
14 required pursuant to State or federal regulation to be displayed three
15 inches behind the State registration number assigned to the vessel,
16 shall be displayed on the bow of the boat or vessel.

17 b. The owner of any boat or vessel that operates on Lake
18 Hopatcong shall be liable to a summons from the New Jersey State
19 Police, the New Jersey State Park Police, a State conservation
20 officer, or a sworn New Jersey law enforcement officer, and
21 payment of the following penalties, which may be assessed in
22 municipal court, if the boat or vessel does not display the
23 appropriate sticker required pursuant to subsection a. of this
24 section:

- 25 (1) \$150 for a first offense;
26 (2) \$250 for a second offense;
27 (3) \$400 for a third or subsequent offense.

28 c. No marina, commercial launching facility, State park facility,
29 or county park facility on Lake Hopatcong shall authorize a boat or
30 vessel to launch from or moor at that facility or from any rental slip
31 controlled by the facility without displaying the appropriate sticker
32 required pursuant to subsection a. of this section.

33 d. The owner of any marina, commercial launching facility, State
34 park facility, or county park facility on Lake Hopatcong who
35 violates subsection c. of this section, shall be liable to a summons
36 from the New Jersey State Police, the New Jersey State Park Police,
37 a State conservation officer, or a sworn New Jersey law
38 enforcement officer, and payment of a \$1,000 penalty per violation,
39 which may be assessed in municipal court. For purposes of this
40 section, each boat or vessel found at a marina or launching facility
41 on Lake Hopatcong that does not display the appropriate sticker
42 required pursuant to this section shall constitute a separate violation
43 and each day during which the violation continues shall constitute
44 an additional, separate, and distinct offense.

45 e. For any penalty collected pursuant to this section, 10 percent
46 thereof shall be provided to the entity issuing the summons to cover
47 its costs, 10 percent thereof shall be provided to the appropriate
48 municipal court to cover its costs and the remaining amount shall be

1 deposited into the “Lake Hopatcong Water Quality Protection
2 Fund” established pursuant to section 4 of P.L. , c. (C.)
3 (pending before the Legislature as this bill).

4
5 4. (New section) There is established in the Department of
6 Environmental Protection a separate, nonlapsing, account to be
7 known as the “Lake Hopatcong Water Quality Protection Fund.”
8 All fees and other monies collected by the Lake Hopatcong
9 Commission pursuant to section 2 and 3 of P.L., c. (C.) (pending
10 before the Legislature as this bill), and any monies as are
11 appropriated by the Legislature for the purposes of the fund shall be
12 deposited into the fund. Any investment earnings on monies in the
13 fund shall accrue to the fund and shall be available subject to the
14 same terms and conditions as other monies in the fund. The monies
15 in the fund shall be used by the Lake Hopatcong Commission to
16 perform its duties pursuant to P.L.2000, c.175 (C.58:4B-1 et seq.).
17 The Legislature shall annually appropriate to the Lake Hopatcong
18 Commission an amount equivalent to the amount anticipated to be
19 collected as fees pursuant to section 2 of P.L. , c. (C.)
20 (pending before the Legislature as this bill), for use by the Lake
21 Hopatcong Commission to perform its duties pursuant to P.L.2000,
22 c.175 (C.58:4B-1 et seq.).

23
24 5. Section 5 of P.L. 2000, c.175 (C.58:4B-5) is amended to read
25 as follows:

26 5. The Lake Hopatcong Commission shall have power to:

27 a. sue and be sued;

28 b. adopt bylaws for the regulation of its affairs and the conduct
29 of its business;

30 c. make and execute contracts and all other instruments
31 necessary or convenient for the exercise of its powers, duties, and
32 responsibilities under this act;

33 d. establish, construct if necessary, and maintain such offices
34 and facilities as may be necessary for the transacting of its business;
35 and, if deemed appropriate by the commission, establish, or
36 construct if necessary, those offices and facilities on land at Lake
37 Hopatcong State Park or on State land at other appropriate locations
38 around or nearby the lake;

39 e. contract for professional and technical assistance; [and]

40 f. contract for and accept assistance, including but not limited to
41 gifts, grants, or loans of funds or of property from the federal
42 government or any agency or instrumentality thereof, from any
43 agency or instrumentality of the State or local government, or from
44 any other public or private source, and to comply, subject to the
45 provisions of this act, with the terms and conditions thereof ; and

46 g. issue permits and assess fees as provided in section 2 of
47 P.L. , c. (C.) (pending before the Legislature as this bill).

48 (cf: P.L.2000, c.175, s.5)

1 6. Section 1 of this act shall take effect upon the enactment into
2 law by the State of New York of legislation having substantially
3 similar effect as that section, or if the State of New York shall have
4 already enacted such legislation, section 1 shall take effect
5 immediately. The remainder of this act shall take effect on July 1,
6 2008 or the date of enactment, whichever is later.

7
8
9 STATEMENT
10

11 This bill would authorize the Greenwood Lake Commission and
12 the Lake Hopatcong Commission to charge certain fees. This bill
13 would authorize the Greenwood Lake Commission, created by
14 P.L.1999, c.402, to charge certain specified fees for docks, wharfs,
15 moorings and boats on the lake. Legislation setting forth these
16 same specified fees passed the New York Legislature in August,
17 2006. This bill would require the commission to create a dedicated
18 account to be known as the "Greenwood Lake Commission Fund"
19 into which the fees would be deposited.

20 The bill would also authorize the Lake Hopatcong Commission
21 to charge an annual permit fee of \$100 on the owner or operator of
22 any mechanically propelled boat or vessel with 10 or more
23 horsepower, and any non-mechanically propelled boat or vessel
24 16 or more feet in length, used on Lake Hopatcong. The Lake
25 Hopatcong Commission would also be authorized to establish a
26 seven consecutive day use permit of \$50 and a one-day use permit
27 of \$20 for any mechanically propelled boat or vessel or non-
28 mechanically propelled boat or vessel subject to the annual fee.
29 The Lake Hopatcong Commission, upon receipt of payment of the
30 fee, would issue to the owner or operator of that boat or vessel a
31 permit sticker that would be required to be visibly displayed on
32 each side of the vessel prior to its operation on Lake Hopatcong.
33 The bill would prohibit a boat or vessel from launching from, or
34 mooring at, any marina, commercial launching facility, or State or
35 county park on the lake unless the boat or vessel displays the
36 appropriate sticker. Penalties for boat sticker violations would be
37 \$150 for a first offense, \$250 for a second offense, and \$400 for a
38 third or subsequent offense. The bill would impose a penalty of
39 \$1,000 upon any marina, commercial launching facility, State park
40 facility, or county park facility on Lake Hopatcong that allows any
41 boat or vessel to launch from or moor at that facility or from any
42 rental slip controlled by the facility without displaying the
43 appropriate sticker. The bill would establish the "Lake Hopatcong
44 Water Quality Protection Fund" into which the fees and fines
45 would be deposited.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2649

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2008

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 2649.

As amended by the committee, this bill would authorize the Greenwood Lake Commission to charge certain fees. This bill would authorize the Greenwood Lake Commission, created by P.L.1999, c.402, to charge certain specified fees for docks, wharfs, moorings and boats on the lake. Legislation setting forth these same specified fees passed the New York Legislature in August, 2006. This bill would require the commission to create a dedicated account to be known as the "Greenwood Lake Commission Fund" into which the fees would be deposited.

COMMITTEE AMENDMENTS:

The committee amendments to the bill delete the sections that would have authorized the Lake Hopatcong Commission to charge certain fees.