

LEGISLATIVE HISTORY CHECKLIST
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(Wildlife conservation plate)

NJSA: 39:3-33.10

LAWS OF: 1995 CHAPTER: 241

BILL NO: A1721

SPONSOR(S): Gaffney and others

DATE INTRODUCED: May 2, 1994

COMMITTEE: ASSEMBLY Environment

SENATE: Budget; Natural Resources

AMENDED DURING PASSAGE: Yes Amendments during passage
Third reprint enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: December 5, 1994

SENATE: June 22, 1995

DATE OF APPROVAL: August 29, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes 2-6-95 & 1-1-95

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

DEPOSITORY COPY
DATE 2-6-95

[THIRD REPRINT]
ASSEMBLY, No. 1721

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1994

By Assemblymen GAFFNEY, MORAN, Solomon, Gibson,
Corodemus, Connors, Assemblywomen Haines, J. Smith,
Assemblymen T. Smith, LoBiondo, Azzolina, Wolfe,
Assemblywoman Farragher and Assemblyman Foley

1 AN ACT concerning wildlife conservation license plates and the
2 conservation of marine mammals and marine reptiles, ¹and
3 amending¹ and supplementing P.L.1993, c.119 (C.39:3-33.10).

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

7 1. ¹(New section)¹ The annual renewal fee for the registration
8 certificate of a motor vehicle for which a wildlife conservation
9 license plate has been issued shall include, in each year
10 subsequent to the year of issuance, a wildlife conservation license
11 plate renewal fee in the amount of ²[\$5] \$10², which shall be in
12 addition to the fee for the renewal of the registration certificate,
13 and which shall be collected by the Division of Motor Vehicles.

14 For each ²[\$5] \$10² wildlife conservation license plate renewal
15 fee collected, the Division of Motor Vehicles shall deposit:

16 a. \$3 thereof into a non-lapsing, interest-bearing "Marine
17 Mammal Stranding Center Fund" to be established in the
18 Department of the Treasury. Interest or other income earned on
19 monies deposited into the Marine Mammal Stranding Center Fund
20 shall be credited to the fund for use as set forth in this subsection
21 for other monies in that fund. Monies in the Marine Mammal
22 Stranding Center Fund shall be withdrawn by the State Treasurer
23 and disbursed to the Marine Mammal Stranding Center in
24 Brigantine, New Jersey, upon request of the center pursuant to a
25 voucher system to be established by the State Treasurer. The
26 center shall indicate on each voucher request the purpose to
27 which the monies disbursed shall be applied. Monies disbursed
28 from the fund to the center shall be utilized by the center in
29 support of its work pertaining to the rescue, treatment,
30 rehabilitation, and conservation of marine mammals and marine
31 reptiles, and toward meeting the costs of related research and
32 public education activities, and may be applied toward the costs
33 of personnel and the purchase and maintenance of equipment and
34 supplies for such purposes. The State Treasurer shall provide an
35 annual report to the Marine Mammal Stranding Center on the
36 status of the fund, and the center shall provide an annual report
37 to the State Treasurer documenting expenditures by the center of
38 monies from the fund; and

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:

¹ Assembly AEN committee amendments adopted August 15, 1994.

² Senate SNT committee amendments adopted January 23, 1995.

³ Senate SBA committee amendments adopted February 6, 1995.

1 b. ²[\$2] \$7² thereof into the Wildlife Conservation Fund
2 established pursuant to subsection b. of section 1 of P.L.1993,
3 c.119 (C.39:3-33.10), ²[to] of which:

4 (1) \$5 shall² be utilized by the Division of Fish, Game and
5 Wildlife for the purpose only of funding research, information and
6 data collection and dissemination, population and habitat studies,
7 environmental education, and conservation activities pertaining
8 to ²[marine mammals and marine reptiles] endangered and
9 non-game wildlife², and which may include the funding of
10 full-time or part-time personnel and the purchase and
11 maintenance of equipment and supplies dedicated to that purpose
12 ²; and

13 (2) \$2 shall be made available to the Division of Fish, Game
14 and Wildlife for the purpose only of providing funding grants to
15 endangered and non-game wildlife conservation projects proposed
16 by non-profit organizations.

17 The Division of Fish, Game and Wildlife shall adopt, pursuant
18 to the "Administrative Procedure Act," P.L.1968, c.410
19 (C.52:14B-1 et seq.), rules and regulations which set forth the
20 criteria for awarding grants pursuant to paragraph (2) of this
21 subsection².

22 ¹c. Any person whose application for issuance of a wildlife
23 conservation license plate has been received by the State prior to
24 the ³effective³ date ³[of enactment]³ of P.L. , c. (C.)
25 (now before the Legislature as this bill), or is received within 30
26 days thereafter, shall be permanently exempt from payment of
27 the ²[\$5] \$10² annual wildlife conservation license plate renewal
28 fee required pursuant to this section for that wildlife
29 conservation license plate unless the person waives the exemption
30 on a form therefor to be provided by the Division of Motor
31 Vehicles at the time of renewal of the registration certificate for
32 the motor vehicle.¹

33 ²2. Section 1 of P.L.1993, c.119 (C.39:3-33.10) is amended to
34 read as follows:

35 1. a. The Director of the Division of Motor Vehicles may issue
36 for a motor vehicle owned or leased and registered in the State,
37 wildlife conservation license plates bearing, in addition to the
38 registration number and other markings or identification
39 otherwise prescribed by law, words or a slogan and an emblem, to
40 be designed by the Commissioner of Environmental Protection
41 and approved by the Director of the Division of Motor Vehicles,
42 indicating support for, or an interest in, wildlife conservation.
43 Issuance of wildlife conservation license plates in accordance
44 with this subsection shall be subject to the [limitations of section
45 3 of P.L.1959, c.56 (C.39:3-33.5), and such other applicable
46 requirements] provisions of chapter 3 of Title 39 of the Revised
47 Statutes, except as hereinafter otherwise specifically provided.

48 b. Application for issuance of a wildlife conservation license
49 plate shall be made to the Director of the [Division of Fish, Game
50 and Wildlife, for transmittal to the] Division of Motor Vehicles
51 [in such manner and in accordance with such procedures as shall
52 be stipulated in an interagency memorandum of agreement
53 entered into pursuant to subsection e. of this section.
54 Applications shall be made] on such forms and in such manner as

1 may be prescribed by the [Director of the Division of Motor
2 Vehicles] director. In order to be deemed complete, an
3 application shall be accompanied by a fee of \$50, payable to the
4 Director of the Division of [Fish, Game and Wildlife] Motor
5 Vehicles. The \$50 fee for a wildlife conservation license plate
6 shall be in addition to the fees otherwise prescribed by law for
7 the registration of motor vehicles. Monies collected from the
8 fees for wildlife conservation license plates shall be deposited
9 into a non-lapsing, interest-bearing "Wildlife Conservation
10 Fund," which is herewith established in the Division of Fish,
11 Game and Wildlife. Interest or other income earned on monies
12 deposited into the Wildlife Conservation Fund shall be credited to
13 the fund for use as set forth in [this act] ³this³ section ³[1 of
14 P.L.1993, c.119 (C.39:3-33.10) and in P.L. , c. (C.)(now
15 before the Legislature as this bill]³ for other monies in the fund.

16 c. [Monies] Except as provided in section 1 of P.L. , c.
17 (C.)(now before the Legislature as this bill), monies in the
18 Wildlife Conservation Fund shall be utilized by the Division of
19 Fish, Game and Wildlife: (1) to reimburse the Division of Motor
20 Vehicles for all costs incurred by that division, as stipulated by
21 the director of that division, in producing, issuing, and publicizing
22 the availability of wildlife conservation license plates; and (2) for
23 endangered and nongame species conservation, including
24 effectuating the purposes of "The Endangered and Nongame
25 Species Conservation Act," P.L.1973, c.309 (C.23:2A-1 et seq.).
26 The Director of the Division of Motor Vehicles shall annually
27 certify to the Director of the Division of Fish, Game and Wildlife
28 the average cost per license plate incurred in the immediately
29 preceding year by the Division of Motor Vehicles in producing,
30 issuing, and publicizing the availability of wildlife conservation
31 license plates. [A sum in the amount of the certified average
32 cost shall accompany each application at the time of transmittal
33 thereof to that division by the Division of Fish, Game and
34 Wildlife.]

35 d. The Director of the Division of Motor Vehicles shall notify
36 eligible motorists of the opportunity to obtain wildlife
37 conservation license plates by including a notice with all motor
38 vehicle registration renewals, and by posting appropriate posters
39 or signs in all division facilities and offices, as may be provided
40 by the Division of Fish, Game and Wildlife. The notices, posters,
41 and signs shall be designed by the Commissioner of Environmental
42 Protection. The designs shall be subject to the approval of the
43 Director of the Division of Motor Vehicles, and the Director of
44 the Division of Fish, Game and Wildlife shall supply the Division
45 of Motor Vehicles with the notices, posters, and signs to be
46 circulated or posted by that division.

47 e. The directors of the Division of Fish, Game and Wildlife and
48 the Division of Motor Vehicles shall develop and enter into an
49 interagency memorandum of agreement setting forth the
50 procedures to be followed by the two divisions in carrying out
51 their respective responsibilities under this act.²

52 (cf: P.L.1993, c.119, s.1)

53 ²[2.] ³3.² This act shall take effect ³[immediately] on the 90th
54 day after enactment; however, the Commissioner of the

1 Department of Environmental Protection, the State Treasurer
2 and the Director of the Division of Motor Vehicles may take such
3 action in advance of the effective date as may be necessary for
4 the timely implementation of this act³.

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9 Authorizes \$5 renewal fee for wildlife conservation license
10 plates; dedicates revenue therefrom to Marine Mammal Stranding
11 Center and marine mammal conservation.

1 to marine mammals and marine reptiles, and which may include
2 the funding of full-time or part-time personnel and the purchase
3 and maintenance of equipment and supplies dedicated to that
4 purpose.

5 2. This act shall take effect immediately.
6
7

8 STATEMENT 9

10 This bill would establish a \$5 annual renewal fee for a wildlife
11 conservation license plate, which would be in addition to the
12 regular renewal fee for any motor vehicle registration
13 certificate. Three dollars of each such wildlife conservation
14 license plate renewal fee collected would be dedicated toward
15 assisting the Marine Mammal Stranding Center in Brigantine,
16 New Jersey, in meeting its considerable expenses, and the
17 remaining two dollars would be dedicated for use in funding
18 marine mammal research and conservation activities to be
19 conducted by the Division of Fish, Game and Wildlife in the
20 Department of Environmental Protection.

21 The Marine Mammal Stranding Center has for many years
22 performed an important public service through its work in
23 rescuing, treating, and rehabilitating marine mammals and sea
24 turtles. In addition, the center has contributed greatly to the
25 knowledge about these animals and served as a tremendous
26 resource for environmental education efforts in the State.
27 Coastal municipalities have consulted frequently with the center
28 about marine mammal and sea turtle strandings within their
29 respective jurisdictions. Because of the level of services
30 provided by the center, the State itself has not needed to
31 maintain an active marine mammal and sea turtle stranding and
32 rescue program. These services are provided by the center at a
33 cost of about \$350,000 per year, almost all of which is raised by
34 contributions, memberships, and grants. This cost is much less
35 than it would be if performed by a State agency. Because the
36 center's present sources of funding are rather unpredictable and
37 insufficient, and because of the center's role in saving the State
38 money, it is important for the State to demonstrate its support
39 for the center by providing some financial assistance and
40 commitment. The source of that assistance in this bill is the
41 entirely voluntary wildlife conservation license plate program.
42 Those plates, which cost \$50 in addition to the usual license plate
43 fee, are purchased by citizens presumably interested in
44 contributing toward the preservation of wildlife. This bill, by
45 authorizing a \$5 renewal fee for the plates, provides another
46 opportunity for those same citizens to voluntarily contribute
47 specifically toward similar efforts to preserve marine mammals
48 and sea turtles.
49
50

51
52
53 _____
54 Authorizes \$5 renewal fee for wildlife conservation license
55 plates; dedicates revenue therefrom to Marine Mammal Stranding
Center and marine mammal conservation.

ASSEMBLY ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1721

with committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 15, 1994

The Assembly Environment and Energy Committee favorably reports Assembly Bill No. 1721, with committee amendments.

This bill would establish a \$5 annual renewal fee for a wildlife conservation license plate, which would be in addition to the regular renewal fee for any motor vehicle registration certificate. Three dollars of each such wildlife conservation license plate renewal fee collected would be dedicated toward assisting the Marine Mammal Stranding Center in Brigantine, New Jersey, in meeting expenses for its work with marine mammals and sea turtles, and the remaining two dollars would be dedicated for use in funding marine mammal research and conservation activities to be conducted by the Division of Fish, Game and Wildlife in the Department of Environmental Protection. Currently, the initial cost of a wildlife conservation license plate is \$50 in addition to the usual license plate fee; there is no renewal fee other than the regular renewal fee for any motor vehicle registration certificate.

The committee amended the bill to provide that any person whose application for issuance of a wildlife conservation license plate has been received by the State prior to the date of enactment the bill, or is received within 30 days thereafter, would be permanently exempt from payment of the \$5 annual wildlife conservation license plate renewal fee unless the person waives the exemption on a form therefor to be provided by the Division of Motor Vehicles at the time of renewal of the registration certificate for the motor vehicle.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1123 of 1994.

SENATE NATURAL RESOURCES, TRADE AND
ECONOMIC DEVELOPMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1721

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 23, 1995

The Senate Natural Resources, Trade and Economic Development Committee favorably reports Assembly Bill No. 1721 (1R), with committee amendments.

As amended, this bill would establish a \$10 annual renewal fee for a wildlife conservation license plate, which would be in addition to the regular renewal fee for any motor vehicle registration certificate. Three dollars of each such wildlife conservation license plate renewal fee collected would be dedicated toward assisting the Marine Mammal Stranding Center in Brigantine, New Jersey, in meeting expenses for its work with marine mammals and sea turtles, five dollars would be dedicated for use in funding endangered and non-game wildlife conservation activities to be conducted by the Division of Fish, Game and Wildlife in the Department of Environmental Protection, and the remaining two dollars would be made available for funding endangered and non-game wildlife conservation projects proposed by non-profit organizations. The non-profit grants would be administered by the Division of Fish, Game and Wildlife, which is authorized to adopt rules and regulations establishing the criteria for awarding the funds. Currently, the initial cost of a wildlife conservation license plate is \$50 in addition to the usual license plate fee; there is no renewal fee other than the regular renewal fee for any motor vehicle registration certificate.

Any person whose application for issuance of a wildlife conservation license plate has been received by the State prior to the date of enactment the bill, or is received within 30 days thereafter, would be permanently exempt from payment of the \$10 annual wildlife conservation license plate renewal fee unless the person waives the exemption on a form therefor to be provided by the Division of Motor Vehicles at the time of renewal of the registration certificate for the motor vehicle.

The committee amendments increased the renewal fee from \$5 to \$10, increased the allocated amount to the DEP from \$2 to \$5 and broadened the purposes for which it could be used, and created the separate \$2 allocation for non-profit proposals of endangered and non-game conservation projects. The committee amendments make this bill identical to Senate Bill No. 1123, which was also amended and favorably reported by the committee.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[SECOND REPRINT]

ASSEMBLY, No. 1721

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 1995

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1721 (2R), with amendments.

Assembly Bill No. 1721 (2R), as amended, establishes a \$10 annual renewal fee for a wildlife conservation license plate. This fee would be in addition to the regular renewal fee for the motor vehicle registration certificate.

Of this renewal fee, \$3 will be dedicated to the Marine Mammal Stranding Center in Brigantine, \$5 to endangered and non-game wildlife conservation activities of the Division of Fish, Game and Wildlife in the Department of Environmental Protection, and \$2 to endangered and non-game wildlife conservation projects proposed by non-profit organizations. Grants to non-profit organizations will be administered by the Division of Fish, Game and Wildlife.

Currently, the cost of a wildlife conservation license plate is \$50; there is no renewal fee other than the regular renewal fee for any motor vehicle registration certificate.

Any person whose application for a wildlife conservation license plate was received by the State prior to the effective date of this bill, or is received within 30 days thereafter, would be permanently exempt from paying the \$10 annual renewal fee set by this bill unless the person waives the exemption.

As reported, this bill is identical to Senate Bill No. 1123 (1R) of 1994, as that bill was amended by this committee on February 6, 1995.

COMMITTEE AMENDMENTS

The committee amended the bill to delay its effective date until 90 days after enactment, upon the recommendation of the Division of Fish, Game and Wildlife.

FISCAL IMPACT

The Division of Motor Vehicles (DMV) estimates revenue from renewal fees at \$134,000, in the first year after the bill's effective date.

The DMV estimates the cost of implementing this bill at \$69,000, \$66,000 and \$87,000 in the first three years, respectively, following enactment.

In a fiscal note prepared by the Office of Legislative Services (OLS) on an earlier version of the bill, OLS notes that it concurs with DMV's revenue estimate, but not with its cost estimate. Although additional costs will be incurred for postage and the printing of the license renewal forms, DMV should be able to cover any additional administrative costs through the use of existing resources.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]

ASSEMBLY, No. 1721

STATE OF NEW JERSEY

DATED: December 7, 1994

Assembly Bill No. 1721 (1R) of 1994 establishes a \$5 annual renewal fee for a wildlife conservation license plate, which would be in addition to the standard renewal fee for motor vehicle registration. The bill allocates three dollars of the fee to support the Marine Mammal Stranding Center in Brigantine and two dollars to support marine mammal research and conservation activities by the Division of Fish, Game and Wildlife in the Department of Environmental Protection. A wildlife conservation license plate currently requires a \$50 application fee but no renewal fee.

The bill permanently exempts from paying the \$5 annual wildlife renewal fee persons whose applications for a wildlife conservation license plate have been received prior to enactment of the bill, unless this exemption is waived by the licensee.

DMV estimates the cost of implementing this bill at \$69,000, \$66,000 and \$87,000 in the first three years, respectively, following enactment. The first year estimate includes \$13,000 for partial salary support of one position and \$56,000 for various administrative expenses. The second year estimate includes a four percent increase for administrative expenses and a reduction in certain fixed costs. The third year estimate includes an increase of 40 percent for administrative expenses based on a projected increase in wildlife plate revenue of 42 percent.

DMV estimates revenue from renewal fees at \$67,000, representing 13,400 renewals, in the first year after enactment. It estimates second and third year revenues at \$138,000 and \$193,000, respectively.

The Office of Legislative Services (OLS) concurs with DMV's revenue estimate but not with its cost estimate. Additional costs will be incurred for postage and the printing of license renewal forms. DMV should be able to cover any additional administrative costs through the use of existing resources.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

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OFFICE OF THE GOVERNOR NEWS RELEASE

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TRENTON, NJ 08625
RELEASE: AUG. 30, 1995

Gov. Christie Whitman has signed legislation providing funding for wildlife conservation projects through a \$10 annual renewal fee for wildlife conservation license plates.

A-1721/S-1123, sponsored by Assemblyman John Gaffney (R-Atlantic), who passed away earlier this week, and Jeffrey Moran (R-Atlantic/Burlington/Ocean), would establish a \$10 fee for a wildlife conservation license plate, which would be in addition to the regular license renewal fee. Of each renewal fee, \$3 would be dedicated to the Marine Mammal Stranding Center to be used for its work with marine mammals and sea turtles; \$5 would be used to fund endangered and non-game wildlife research and conservation activities to be conducted by the Division of Fish, Game and Wildlife in the Department of Environmental Protection; and \$2 would be used by the Division for funding grants to non-profit organizations for endangered and non-game wildlife conservation projects.

"This legislation is a lasting tribute to Assemblyman Gaffney who worked hard to obtain this funding for wildlife conservation, a cause in which he strongly believed," said Gov. Whitman.

• Payment of the annual renewal fee is optional for any person who applied for a wildlife conservation license plate prior to, or within 30 days of, the enactment of this legislation.

Gov. Whitman also signed the following:

S-298/A-835, sponsored by Senators Leonard Connors (R-Atlantic/Burlington/Ocean) and Andrew Ciesla (R-Monmouth/Ocean) and Assemblymen Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Christopher Connors (R-Atlantic/Burlington/Ocean), expands the membership of the Police and Firemen's Retirement System (PERS) from nine to eleven members and provides for an additional public member and election of one retiree member.

S-1059/A-2618, sponsored by Senator William Gormley (R-Atlantic) and Assemblymen John Gaffney (R-Atlantic) and Leonard Connors (R-Atlantic/Burlington/Ocean), reappropriates \$6 million in State grants and \$3 million in State loans to local governments in the pinelands area for infrastructure capital projects. The projects include the Winslow Township, Route 73 Interceptor and Collection System; the Barnegat Township, Phase I Interceptor; the Egg Harbor Township Municipal Utilities Authority, Collection System; and the Hamilton Township Municipal Utilities Authority, Collection System. The funds became available for reappropriation through project cancellations or savings from projects costing less than estimated costs.

A-1408/S-1203, sponsored by Assemblymen Paul DiGaetano (R-Bergen/Essex/Passaic) and Kelly (R-Bergen/Essex/Passaic) and Senator Richard Codey (D-Essex), revises pension benefits for members of certain school district employees' pension funds.