

18A:64L-1 to 18A:64L-4

**LEGISLATIVE HISTORY CHECKLIST**  
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(Coastal Protection Technical  
Assistance)

**NJSA:** 18A:64L-1 to 18A:64L-4

**LAWS OF:** 1993 **CHAPTER:** 176

**BILL NO:** S1450

**SPONSOR(S)** Ciesta and others

**DATE INTRODUCED:** January 12, 1993

**COMMITTEE:** **ASSEMBLY:** \_\_\_\_\_  
**SENATE:** Budget; Coastal Resources

**AMENDED DURING PASSAGE:** Yes Amendments during passage denoted by asterisks

**DATE OF PASSAGE:** **ASSEMBLY:** June 21, 1993  
**SENATE:** June 10, 1993

**DATE OF APPROVAL:** July 9, 1993

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** No  
**SENATE:** Yes ~~6-11-93~~ & 3-11-93 51093

**FISCAL NOTE:** Yes

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:**

**HEARINGS:** Yes

974.90 New Jersey. Legislature. Senate. Coastal Resources and Tourism  
B365 Committee.  
1992a Public hearing, held 5-11-92. Belmar, NJ, 1992

KBG:pp

[SECOND REPRINT]

SENATE, No. 1450

STATE OF NEW JERSEY

INTRODUCED JANUARY 12, 1993

By Senators CIESLA, CONNORS, Palaia, Kyrillos,  
Bennett, Cafiero and Gormley

1 AN ACT establishing a Coastal Protection Technical Assistance  
2 Service at the Stevens Institute of Technology, amending  
3 P.L.1992, c.148, and supplementing Title 18A of the New  
4 Jersey Statutes.

5

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

8 1. (New section) a. There is established a Coastal Protection  
9 Technical Assistance Service (CPTAS) at the Stevens Institute of  
10 Technology. The purpose of the CPTAS shall be to provide, upon  
11 request, information and advice to counties and municipalities on  
12 coastal protection methods <sup>1</sup>[, engineering, and research]<sup>1</sup> in  
13 order to assist coastal counties and municipalities in making  
14 decisions and undertaking projects to protect, preserve, restore,  
15 enhance, and create beaches, dunes, and other coastal area  
16 resources and in constructing and maintaining coastal protection  
17 structures and devices such as <sup>2</sup>jetties,<sup>2</sup> bulkheads, sea walls,  
18 groins, piers, and boardwalks.

19 b. The establishment of the CPTAS pursuant to subsection a.  
20 of this section shall become effective upon the signing of an  
21 agreement of acceptance thereof by the Stevens Institute of  
22 Technology with the <sup>1</sup>[State] Department of Environmental  
23 Protection<sup>1</sup>.

24 2. (New section) The CPTAS shall be headed by a director to  
25 be appointed by the President of the Stevens Institute of  
26 Technology, after consultation with the governing bodies of the  
27 counties and municipalities in the coastal area of the State. The  
28 director shall receive such compensation as shall be determined  
29 by the President of the Stevens Institute of Technology.

30 3. (New section) a. The director of the CPTAS shall appoint,  
31 within the limits of funds appropriated or otherwise provided  
32 therefor, qualified technical and clerical staff, who shall be  
33 employees of the Stevens Institute of Technology, and shall be  
34 entitled to all of the rights and benefits of other employees of  
35 that institution.

36 b. The director may, on behalf of the CPTAS, enter into  
37 agreements or contracts with the New Jersey Cooperative  
38 Extension Service, the New Jersey Sea Grant Extension Service,  
39 any public or private institution of higher education, or any other  
40 consultant or entity to assist the CPTAS in carrying out its duties  
41 pursuant to this act.

42 4. (New section) The director and staff of the CPTAS shall:

43 a. Establish a data base of information on available 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 superscripted numerals has been adopted as follows:

<sup>1</sup> Senate SOT committee amendments adopted March 11, 1993.

<sup>2</sup> Senate SBA committee amendments adopted May 10, 1993.

1 promising new coastal protection methods<sup>1</sup>[, engineering, and  
2 research,]<sup>1</sup> and make this information available, upon request, to  
3 county and municipal governmental entities;

4 b. Evaluate, or cause to be evaluated, available and promising  
5 new coastal protection methods<sup>1</sup>[, engineering, and research]<sup>1</sup> as  
6 to practicability, technical performance, and cost effectiveness;

7 c. Promote sharing of information on coastal protection  
8 methods<sup>1</sup>[, engineering, and research]<sup>1</sup> between interested and  
9 knowledgeable parties and county and municipal governmental  
10 entities within the State;

11 d. Sponsor or conduct conferences, workshops, and  
12 demonstration projects to publicize successful coastal protection  
13 methods;

14 e. Identify problem areas in developing or implementing  
15 coastal protection methods, and encourage academic, corporate,  
16 or public efforts for their resolution;

17 f. Compile and disseminate, upon request, lists of engineering  
18 and other consulting services engaged in coastal protection work;

19 g. Promote <sup>1</sup>, in consultation with the Department of  
20 Environmental Protection,<sup>1</sup> demonstration projects for available  
21 and promising new coastal protection methods, and disseminate  
22 the results of such demonstration projects;

23 h. Document and publicize successful coastal protection  
24 methods and projects;

25 i. Provide information on available public and private funding  
26 sources for coastal protection efforts and projects;

27 j. Provide general information on federal and State regulations  
28 concerning coastal protection efforts and projects;

29 k. Collect and disseminate educational and training materials  
30 to assist county and municipal governmental employees with  
31 respect to undertaking or supervising coastal protection efforts  
32 or projects;

33 l. Make on-site visits to coastal protection projects upon  
34 request of a county or municipal governmental entity, and make  
35 on-site assessments thereof; and

36 m. Provide <sup>1</sup>, in consultation with the Department of  
37 Environmental Protection,<sup>1</sup> extension services to county and  
38 municipal governmental entities concerning coastal protection,  
39 including, upon request, outreach and technical advice on coastal  
40 protection methods<sup>1</sup>[, engineering, research,]<sup>1</sup> and projects.

41 <sup>1</sup>n. Submit annually to the Legislature a review and evaluation  
42 of State and federal coastal protection programs and projects.<sup>1</sup>

43 5. Section 1 of P.L.1992, c.148 (C.13:19-16.1) is amended to  
44 read as follows:

45 1. a. There is created in the Department of the Treasury a  
46 special non-lapsing fund to be known as the "Shore Protection  
47 Fund." The monies in the fund are dedicated and shall only be  
48 used to carry out the purposes enumerated in subsection b. of this  
49 section. The fund shall be credited with all revenues collected  
50 and deposited in the fund pursuant to section 4 of P.L.1968, c.49  
51 (C.46:15-8), all interest received from the investment of monies  
52 in the fund, and any monies which, from time to time, may  
53 otherwise become available for the purposes of the fund. Pending  
54 the use thereof pursuant to the provisions of subsection b. of this

1 section, the monies deposited in the fund shall be held in  
2 interest-bearing accounts in public depositories, as defined  
3 pursuant to section 1 of P.L.1970, c.236 (C.17:9-41), and may be  
4 invested or reinvested in such securities as are approved by the  
5 State Treasurer. Interest or other income earned on monies  
6 deposited into the fund shall be credited to the fund for use as set  
7 forth in this act for other monies in the fund.

8 b. Monies deposited in the "Shore Protection Fund" shall be  
9 used for shore protection projects associated with the protection,  
10 stabilization, restoration or maintenance of the shore, including  
11 monitoring studies and land acquisition, consistent with the New  
12 Jersey Shore Protection Master Plan prepared pursuant to section  
13 5 of P.L.1978, c.157, and may include the nonfederal share of any  
14 State-federal project, provided however that the Commissioner  
15 of Environmental Protection may, pursuant to appropriations  
16 made by law, allocate monies deposited in the fund for shore  
17 protection projects of an emergency nature, in the event of  
18 storm, stress of weather or similar act of God. Two percent of  
19 the monies annually deposited in the fund shall be allocated and  
20 annually appropriated for the purposes of funding the Coastal  
21 Protection Technical Assistance Service established pursuant to  
22 section 1 of P.L. , c. (C. ) (now before the Legislature as  
23 this bill) <sup>2</sup>, of which amount up to \$100,000 annually may be  
24 utilized for funding coastal engineering research and development  
25 to be conducted by Stevens Institute of Technology in response to  
26 requests therefor made by State or local governmental entities<sup>2</sup>.  
27 (cf: P.L.1992, c.148, s.1)

28 6. This act shall take effect immediately.

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33 Establishes at Stevens Institute of Technology a Coastal  
34 Protection Technical Assistance Service for local governments.

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15 annually appropriated for the purposes of funding the Coastal  
16 Protection Technical Assistance Service established pursuant to  
17 section 1 of P.L. , c. (C. ) (now before the Legislature as  
18 this bill).

19 (cf: P.L.1992, c.148, s.1)

20 6. This act shall take effect immediately.

#### 23 STATEMENT

24  
25 This bill would establish a Coastal Protection Technical  
26 Assistance Service (CPTAS) at the Stevens Institute of  
27 Technology. The purpose of the CPTAS would be to provide, upon  
28 request, information and advice to counties and municipalities on  
29 coastal protection methods, engineering, and research in order to  
30 assist coastal counties and municipalities in making decisions and  
31 undertaking projects to protect, preserve, restore, enhance, and  
32 create beaches, dunes, and other coastal area resources and in  
33 constructing and maintaining coastal protection structures and  
34 devices such as bulkheads, sea walls, groins, piers, and boardwalks.

35 The CPTAS would be headed by a director to be appointed by  
36 the President of the Stevens Institute of Technology, after  
37 consultation with the governing bodies of the counties and  
38 municipalities in the coastal area of the State.

39 The director, on behalf of the CPTAS, would be authorized to  
40 enter into agreements or contracts with the New Jersey  
41 Cooperative Extension Service, the New Jersey Sea Grant  
42 Extension Service, any public or private institution of higher  
43 education, or any other consultant or entity to assist the CPTAS  
44 in carrying out its duties pursuant to the bill.

45 The bill provides that two percent of the monies annually  
46 deposited in the "Shore Protection Fund" established pursuant to  
47 section 1 of P.L.1992, c.148 (C.13:19-16.1) would be allocated  
48 and annually appropriated for the purposes of funding the CPTAS.

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52  
53 Establishes at Stevens Institute of Technology a Coastal  
54 Protection Technical Assistance Service for local governments.

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SENATE COASTAL RESOURCES AND TOURISM COMMITTEE

STATEMENT TO

**SENATE, No. 1450**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 11, 1993

The Senate Coastal Resources and Tourism Committee favorably reports Senate Bill No. 1450 with committee amendments.

Senate Bill No. 1450, as amended, would establish a Coastal Protection Technical Assistance Service (CPTAS) at the Stevens Institute of Technology. The purpose of the CPTAS would be to provide, upon request, information and advice to counties and municipalities on coastal protection methods in order to assist coastal counties and municipalities in making decisions and undertaking projects to protect, preserve, restore, enhance, and create beaches, dunes, and other coastal area resources and in constructing and maintaining coastal protection structures and devices such as bulkheads, sea walls, groins, piers, and boardwalks. The CPTAS would become operative upon the signing of an agreement of acceptance by the Stevens Institute of Technology and the Department of Environmental Protection.

The CPTAS would be headed by a director to be appointed by the President of the Stevens Institute of Technology, after consultation with the governing bodies of the counties and municipalities in the coastal area of the State.

The director, on behalf of the CPTAS, would be authorized to enter into agreements or contracts with the New Jersey Cooperative Extension Service, the New Jersey Sea Grant Extension Service, any public or private institution of higher education, or any other consultant or entity to assist the CPTAS in carrying out its duties pursuant to the bill.

The bill provides that two percent of the monies annually deposited in the "Shore Protection Fund" established pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1) would be allocated and annually appropriated for the purposes of funding the CPTAS.

The committee amendments would clarify the range of services to be provided by the CPTAS to counties and municipalities, and would require the CPTAS to submit an annual review and evaluation to the Legislature of State and federal coastal protection programs and projects.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

**SENATE, No. 1450**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 10, 1993

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1450 (1R), with committee amendments.

Senate Bill No. 1450 (1R), as amended, establishes a Coastal Protection Technical Assistance Service (CPTAS) at the Stevens Institute of Technology. The purpose of the CPTAS would be to provide, upon request, information and advice to counties and municipalities on coastal protection methods. This information and advice will assist them to make decisions and undertake projects to protect, preserve, restore, enhance, and create beaches, dunes, and other coastal area resources and to construct and maintain coastal protection structures and devices such as jetties, bulkheads, sea walls, groins, piers, and boardwalks. The CPTAS would become operative upon the signing of an agreement between the Stevens Institute of Technology and the Department of Environmental Protection and Energy.

The CPTAS would be headed by a director appointed by the President of the Stevens Institute of Technology, after consultation with the governing bodies of the counties and municipalities in the coastal area of the State.

The director, on behalf of the CPTAS, would be authorized to enter into agreements or contracts with the New Jersey Cooperative Extension Service, the New Jersey Sea Grant Extension Service, any public or private institution of higher education, or any other consultant or entity, to assist the CPTAS in carrying out its duties pursuant to the bill.

The bill provides that two percent of the monies annually deposited in the "Shore Protection Fund" established pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1) would be allocated and annually appropriated for the purposes of funding the CPTAS.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 2214 (1R) of 1992.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- Provide that up to \$100,000 annually of the monies appropriated for the CPTAS may be utilized for coastal engineering research and development by Stevens Institute of Technology in response to requests made by State or local governmental entities; and
- Add jetties to the list of some examples of possible coastal protection structures and devices upon which the CPTAS may give information and advice to counties and municipalities.

FISCAL IMPACT

The Office of Legislative Services estimates that approximately \$300,000 annually would be allocated from the "Shore Protection Fund" to fund the CPTAS. This estimates is based on an anticipated \$15 million in annual deposits into the "Shore Protection Fund."

The bill will result in an annual reduction of approximately \$300,000 in the capital appropriations from the "Shore Protection Fund" to the Department of Environmental Protection and Energy for shore protection projects associated with the protection, stabilization, restoration, or maintenance of the shore consistent with the New Jersey Shore Protection Master Plan (P.L.1978, c.157).



LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]

SENATE, No. 1450

STATE OF NEW JERSEY

DATED: June 7, 1993

Senate Bill No. 1450 (1R) of 1993 would establish a Coastal Protection Technical Assistance Service (CPTAS) at the Stevens Institute of Technology. The purpose of the CPTAS would be to provide, upon request, information and advice to counties and municipalities on coastal protection methods in order to assist coastal counties and municipalities in making decisions and undertaking projects to protect, preserve, restore, enhance, and create beaches, dunes, and other coastal area resources, and in constructing and maintaining coastal protection structures and devices such as bulkheads, sea walls, groins, piers, and boardwalks. The CPTAS would be headed by a director who would be authorized to enter into agreements or contracts with the New Jersey Cooperative Extension Service, the New Jersey Sea Grant Extension Service, any public or private institution of higher education, or any other consultant or entity to assist the CPTAS in carrying out its duties pursuant to the bill.

The bill provides that two percent of the monies annually deposited in the "Shore Protection Fund" established pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1) would be allocated and annually appropriated for the purposes of funding the CPTAS. It also would require the CPTAS to submit an annual review and evaluation to the Legislature of State and federal coastal protection programs and projects.

The Office of Legislative Services cannot estimate whether the CPTAS will be able to carry out all its responsibilities under the bill given the appropriation limitation of two percent (\$300,000) of the \$15 million annually deposited in the Shore Protection Fund. Much will depend on the extent of cooperation and resources the CPTAS will receive from the Stevens Institute, other research centers and public agencies. Its \$300,000 budget could conceivably support a director's salary (\$75,000), the salaries of three or four specialists plus one or two clerical staff (\$160,000), and materials, supplies and support services (\$65,000).

However, if the CPTAS is also responsible for covering fringe benefits costs (approximately 30 percent of salary costs or \$70,500), the size of its staff could be further limited. While the bill directs that the CPTAS staff shall be considered employees of the Stevens Institute, it remains unclear as to who would be responsible for these costs.

Last, it should be noted that the annual designation of \$300,000 from the Shore Protection Fund for CPTAS will, in turn, reduce the annual capital appropriation from this Fund (\$15 million in FY 1994) to the Department of Environmental Protection and Energy by the same amount.

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