

32:34-1

LEGISLATIVE HISTORY CHECKLIST
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(NJ - NY Clean Ocean and
Shore Trust)

NJSA: 32:34-1 et seq
LAWS OF: 1993 **CHAPTER:** 57
BILL NO: A1572
SPONSOR(S) Oros and others
DATE INTRODUCED: June 15, 1992
COMMITTEE: **ASSEMBLY:** Environment
SENATE: ---
AMENDED DURING PASSAGE: Yes
DATE OF PASSAGE: **ASSEMBLY:** October 29, 1992
SENATE: January 25, 1993
DATE OF APPROVAL: February 23, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes
COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: No
FISCAL NOTE: Yes
VETO MESSAGE: No
MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No
HEARINGS: No

See newspaper clippings-attached:

"Hard look, soft walks on erosion," 2-24-93 Asbury Park Press.
"Florio tosses shore a life raft," 2-24-93 Asbury Park Press.
"Overhaul pledged of NJ coastal law," 2-24-93 Asbury Park Press.

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 1572

STATE OF NEW JERSEY

INTRODUCED JUNE 15, 1992

By Assemblymen OROS, FRANKS, Azzolina, Mikulak, Penn, Kavanaugh, Corodemus, Dunn, Hudak, T. Smith, Assemblywomen Ogden, Smith, Assemblymen Kronick, Nickles, Gaffney, Baer, Assemblywoman Weinberg, Assemblymen Rooney, Lustbader, Romano, Impreveduto and Green

1 AN ACT creating the Clean Ocean and Shore Trust (COAST)
2 Committee and supplementing Title 13 of the Revised Statutes,
3 and making an appropriation.

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

7 1. This act shall be known, and may be cited, as the "New
8 Jersey - New York Clean Ocean and Shore Trust (COAST)
9 Committee Act."

10 2. The Legislature finds and declares that the Atlantic
11 coastline of New Jersey and New York is a major natural and
12 scenic resource providing innumerable recreational, commercial,
13 and aesthetic benefits central to the welfare of the citizens of,
14 and visitors to, both states; that the value of these benefits is
15 heavily dependent on the water quality of the Atlantic ocean
16 along the New Jersey and New York shores, especially within the
17 Hudson - Raritan estuary and the New York - New Jersey Bight
18 area; that poor ocean water quality is a potential threat to public
19 health and to the vitality of the coastal tourism industry; that use
20 and misuse of the coastal resources of one state can severely
21 affect the condition of the coastal resources of the other; that
22 the States of New Jersey and New York and their respective
23 citizens share a concern to preserve the natural and scenic
24 resources and protect the environmental integrity of the Hudson
25 - Raritan estuary and the New York - New Jersey Bight area, and
26 to enhance the coastal tourism industry of the two states.

27 The Legislature therefore determines that there is a need for a
28 bi-state cooperative effort to help ensure that the natural and
29 scenic resources and the environmental integrity of the Hudson -
30 Raritan estuary and the New York - New Jersey Bight area from
31 Cape May Point, New Jersey, to Montauk Point, New York, are
32 preserved, protected, maintained, and restored, and that the
33 coastal tourism industry of the two states is enhanced to the
34 maximum extent practicable and feasible; and that it is
35 appropriate to create a bi-state committee to commence that
36 cooperative effort by formulating, evaluating, and recommending
37 strategies therefor, which would be transmitted to appropriate
38 state and local officials and members of Congress of the two

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 September 14, 1992.

1 states for consideration and possible implementation.

2 3. a. There is created the Clean Ocean and Shore Trust
3 (COAST) Committee, which shall comprise 18 members, nine of
4 whom shall be residents of the State of New Jersey and nine of
5 whom shall be residents of the State of New York. The New
6 Jersey members shall be as follows: two members of the Senate,
7 from different political parties, to be appointed by the President
8 thereof; two members of the General Assembly, from different
9 political parties, to be appointed by the Speaker thereof; the
10 Director of the Division of Science and Research of the New
11 Jersey Department of Environmental Protection; the Director of
12 the Division of Travel and Tourism in the New Jersey Department
13 of Commerce, Energy and Economic Development; the Director
14 of the Institute of Marine and Coastal Sciences at Rutgers, The
15 State University of New Jersey; the Director of the Center for
16 Environmental Engineering at the Stevens Institute of
17 Technology; and one private citizen with expertise in marine
18 pollution, coastal resource preservation, marine fisheries, or
19 coastal tourism, to be appointed by the Governor, with the advice
20 and consent of the Senate.

21 b. The New Jersey legislative and administrative agency
22 members of the committee, and the members from Rutgers
23 University and the Stevens Institute of Technology, or their
24 designees, shall serve ex officio. The private citizen member of
25 the committee appointed by the Governor of New Jersey shall
26 serve at the pleasure of the Governor. Vacancies in the
27 appointed positions on the committee shall be filled in the same
28 manner as the original appointments were made.

29 c. New Jersey members of the committee shall serve without
30 compensation, but may, within the limits of funds appropriated or
31 otherwise made available to it, be reimbursed for actual expenses
32 necessarily incurred in the discharge of their official duties.

33 d. The committee shall organize as soon as may be practicable
34 after the appointment of its members, and shall select two
35 co-chairpersons from its members, one from each state, and a
36 secretary who need not be a member. Meetings of the committee
37 shall be at such times and places as the co-chairpersons of the
38 committee deem appropriate.

39 e. The committee may call to its assistance, and avail itself of
40 the services of, such employees of the two states, or any political
41 instrumentalities thereof, as it may require and as may be made
42 available to it for the purpose of carrying out its duties under this
43 act. If requested by the committee, the New Jersey Department
44 of Environmental Protection and the New York Department of
45 Environmental Conservation, or their successors, shall provide
46 primary staff support.

47 f. The committee may, within the limits of funds appropriated
48 or otherwise made available to it for those purposes, employ such
49 professional, stenographic, and clerical staff and incur such
50 traveling and other miscellaneous expenses as it may deem
51 necessary in order to perform its duties.

52 g. The committee may, within the limits of funds appropriated
53 or otherwise made available to it for those purposes, establish an
54 advisory panel comprised of scientists and technical experts from

1 the profit and non-profit sectors. This panel would identify and
2 define problems and priority issues of the ¹[New York - New
3 Jersey harbor Estuary] Hudson - Raritan estuary¹ and the New
4 York - New Jersey Bight ¹area¹, and provide the committee
5 with scientific and technical advice.

6 4. It shall be the duty of the committee to:

7 a. Assess the present and projected status of the natural and
8 scenic resources, and the environmental and ecological integrity,
9 of the Hudson - Raritan estuary and the New York - New Jersey
10 Bight area, especially with regard to the effects of pollution and
11 development thereon;

12 b. Assess the impact any action proposed in or for the Hudson
13 - Raritan estuary or the New York - New Jersey Bight area may
14 have upon the natural and scenic resources of the estuary or bight
15 area;

16 c. Assess the condition of the coastal tourism industry;

17 d. Formulate and evaluate strategies for the preservation of
18 the natural and scenic resources of the Hudson - Raritan estuary
19 and the New York - New Jersey Bight area, the protection of the
20 environmental integrity thereof, and the enhancement of the
21 coastal tourism industry, all to the maximum extent practicable
22 and feasible;

23 e. Assess for priority consideration the research agendas and
24 action plans recommended by the National Estuary Program,
25 including the implementation of recommendations of the
26 Comprehensive Conservation and Management Plans of the New
27 York - New Jersey Harbor Estuary Program / New York - New
28 Jersey Bight Restoration Plan and the Delaware Estuary Program;

29 f. Recommend and initiate special studies or research, as it
30 deems necessary, to generate the data required to make the
31 assessments and provide the recommendations required by this
32 act;

33 g. Coordinate and recommend standardization of laws
34 affecting the Hudson - Raritan estuary and the New York - New
35 Jersey Bight area;

36 h. Apprise Congress and the federal government of the two
37 states' common concerns regarding the natural and scenic
38 resources, the environmental integrity, and the tourism industry
39 of the Hudson - Raritan estuary and the New York - New Jersey
40 Bight area, and, where appropriate, petition Congress and federal
41 government agencies for funding, additional authority required by
42 the two states, and other needed legislation that would further
43 the goals and purposes of this act and the committee created
44 pursuant thereto; and

45 i. Take such other action that may be necessary to further the
46 purposes of this act.

47 5. The committee shall report, by February 15 next following
48 the first full year after enactment of this act and annually
49 thereafter, its findings, together with any recommendations for
50 federal or state legislation or administrative action, or action by
51 local governments, to the Governors and Legislatures of the
52 States of New Jersey and New York; the governing bodies of
53 Atlantic, Bergen, Burlington, Cape May, Essex, Hudson,
54 Middlesex, Monmouth, Ocean, and Union counties, New Jersey;

1 the governing bodies of Nassau, Suffolk, and Westchester
2 counties, New York; the Mayor and the City Council of the City
3 of New York; and every member of Congress elected from the
4 States of New Jersey and New York.

5 6. There is appropriated from the General Fund to the Clean
6 Ocean and Shore Trust (COAST) Committee the sum of \$75,000
7 for the purposes of this act.

8 7. This act shall take effect upon enactment of substantially
9 similar legislation by the State of New York, unless the State of
10 New York has enacted such legislation prior to the date of
11 enactment of this act, in which case this act shall take effect
12 immediately.

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17 _____
18 Creates NJ portion of NJ - NY bi-state coastal resources
committee; appropriates \$75,000.

1 Ocean and Shore Trust (COAST) Committee the sum of \$75,000
2 for the purposes of this act.

3 7. This act shall take effect upon enactment of substantially
4 similar legislation by the State of New York, unless the State of
5 New York has enacted such legislation prior to the date of
6 enactment of this act, in which case this act shall take effect
7 immediately.

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STATEMENT

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12 This bill is a companion measure to New York legislation that
13 would create an 18 member bi-state committee, to be known as
14 the Clean Ocean and Shore Trust (COAST) Committee, to study
15 strategies to preserve, protect, maintain, and restore the natural
16 and scenic resources and the environmental integrity of the
17 Hudson - Raritan estuary and the New York - New Jersey Bight
18 area and to enhance coastal tourism.

19 This bill would create the New Jersey portion of the bi-state
20 committee. The nine members of the New Jersey delegation on
21 the committee include two State senators, two State
22 assemblymen, the Director of the Division of Science and
23 Research of the Department of Environmental Protection, the
24 Director of the Division of Travel and Tourism in the Department
25 of Commerce, Energy and Economic Development, the Director
26 of the Institute of Marine and Coastal Sciences at Rutgers, the
27 Director of the Center for Environmental Engineering at the
28 Stevens Institute of Technology, and one private citizen.

29 The committee would be required to make an annual report to
30 the Governors and Legislatures of the two states, the governing
31 bodies of the appropriate counties and the City of New York, and
32 every member of Congress elected from the States of New Jersey
33 and New York.

34 The States of New York and New Jersey border the Hudson -
35 Raritan estuary and the New York - New Jersey Bight area. The
36 New York - New Jersey Bight is an ocean area extending over
37 100 miles into the Atlantic ocean from the mouth of the Hudson -
38 Raritan estuary to the limit of the continental shelf and including
39 240 miles of shoreline extending from Cape May, New Jersey, to
40 Montauk Point, Long Island. Both states undertake activities that
41 affect these marine waters and the marine resources found
42 therein. Problems caused by pollution and development plaguing
43 these marine waters need to be addressed cooperatively.

44 The New York Legislature enacted legislation on July 25, 1990,
45 creating the New York portion of the bi-state committee.

46 The bill also appropriates to the committee the sum of \$75,000
47 for the purposes of the act.

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52 Creates NJ portion of NJ - NY bi-state coastal resources
53 committee; appropriates \$75,000.

ASSEMBLY ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1572

with committee amendments

STATE OF NEW JERSEY

SEPTEMBER 14, 1992

The Assembly Environment Committee favorably reports Assembly Bill No. 1572 with Assembly committee amendments.

This bill is a companion measure to New York legislation that would create an 18 member bi-state committee, to be known as the Clean Ocean and Shore Trust (COAST) Committee, to study strategies to preserve, protect, maintain, and restore the natural and scenic resources and the environmental integrity of the Hudson - Raritan estuary and the New York - New Jersey Bight area and to enhance coastal tourism.

The States of New York and New Jersey border the Hudson - Raritan estuary and the New York - New Jersey Bight area. The New York - New Jersey Bight is an ocean area extending over 100 miles into the Atlantic ocean from the mouth of the Hudson - Raritan estuary to the limit of the continental shelf and including 240 miles of shoreline extending from Cape May, New Jersey, to Montauk Point, Long Island. Both states undertake activities that affect these marine waters and the marine resources found therein. Problems caused by pollution and development plaguing these marine waters need to be addressed cooperatively.

The New York Legislature enacted legislation on July 25, 1990, creating the New York portion of the bi-state committee.

The bill would create the New Jersey portion of the bi-state committee. The nine members of the New Jersey delegation on the committee include two State senators, two members of the State General Assembly, the Director of the Division of Science and Research of the Department of Environmental Protection, the Director of the Division of Travel and Tourism in the Department of Commerce, Energy and Economic Development, the Director of the Institute of Marine and Coastal Sciences at Rutgers University, the Director of the Center for Environmental Engineering at the Stevens Institute of Technology, and one private citizen.

This bi-state committee would be required to make an annual report to the Governors and Legislatures of the two states, the governing bodies of the appropriate counties and the City of New York, and every member of Congress elected from the States of New Jersey and New York.

The bill also appropriates to the bi-state committee the sum of \$75,000 for the purposes of the act.

The Assembly Environment Committee made technical amendments to the bill.

FISCAL NOTE TO
[FIRST REPRINT]
ASSEMBLY, No. 1572
STATE OF NEW JERSEY

DATED: October 28, 1992

Assembly Bill No. 1572 (1R) of 1992 is a companion measure to New York legislation that would create an 18-member bi-state committee, to be known as the Clean Ocean and Shore Trust (COAST) Committee, to study strategies to preserve, protect, maintain, and restore the natural and scenic resources and the environmental integrity of the Hudson - Raritan estuary and the New York - New Jersey Bight area and to enhance coastal tourism.

This bill would create the New Jersey portion of the bi-state committee. The nine members of the New Jersey delegation on the committee include two State senators, two State assemblymen, the Director of the Division of Science and Research of the Department of Environmental Protection and Energy (DEPE), the Director of the Division of Travel and Tourism in the Department of Commerce and Economic Development, the Director of the Institute of Marine and Coastal Sciences at Rutgers, the Director of the Center for Environmental Engineering at the Stevens Institute of Technology, and one private citizen.

The committee would be required to make an annual report to the Governors and Legislatures of the two states, the governing bodies of the appropriate counties and the City of New York, and every member of Congress elected from the States of New Jersey and New York.

The DEPE estimates its expenses under the bill as follows:

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
Salary	\$75,000	\$77,000	\$80,000
Support	<u>9,000</u>	<u>3,000</u>	<u>3,000</u>
Total	\$84,000	\$80,000	\$83,000

The salary amount reflects the salary and fringe benefits costs of one full-time Research Scientist position. A similar position in the DEPE currently provides administrative support to the National Estuary Program, the NY - NJ Harbor Estuary Program and the New York Bight Restoration Plan. The department estimates that the COAST committee will be meeting on a monthly basis and will therefore require the full-time services of this position. The first-year support costs reflect initial data processing outlays.

The Office of Legislative Services concurs with the department's estimates but notes that the current employee utilized for the existing programs cited above may be able to perform some of the duties required by the COAST committee if the new committee's agenda overlaps or supercedes that of the aforementioned programs. If not, then the bill's appropriation of \$75,000 would only be sufficient to cover most of the DEPE's first-year costs. In addition, any subsequent costs incurred by the other affected agencies represented on the committee would have to be supported by other funding sources.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
Contact:

Jon Shure
Jo Glading
609/777-2600

TRENTON, N.J. 08625

Release:

Tuesday
Feb. 23, 1993

GOVERNOR CREATES COUNCIL TO CRAFT COASTAL POLICY

LONG BRANCH -- In an effort to preserve the Jersey Shore and other shore areas, Governor Jim Florio today signed a bill creating *COAST*, a bi-state commission which will devise ways to cooperatively protect New Jersey-New York coastal waters.

"This legislation is another step closer to the broad regional planning we need to craft effective coastal policy. Our new bi-state committee will pool knowledge, resources and regulatory powers to develop new strategies to protect and restore our shared waters," said Governor Florio. "Our Hudson River-Raritan Estuary and the New York-New Jersey Bight represent one of the most magnificent recreational resources and economically strategic water systems in the world. Through *COAST*, their pollution and development pressures can now be addressed cooperatively by both states."

Governor Florio signed the bill during the second annual Shore Summit which convenes local shore officials, legislators and environmental representatives.

"This Shore Summit is our chance to sit down together, cut through the rhetoric and hammer out solutions that work. The summit offers a real opportunity to forge lasting public judgements that will reflect the best interests of our people and preserve our natural resources for future generations," said Governor Florio. "We need to develop strategies that protect our natural resources and enhance their value to our economy. Not stale either/or choices that produce gridlock instead of results."

The 18-member Clean Ocean and Shore Trust (*COAST*) will study strategies to preserve, protect, maintain and restore the natural and scenic resources, and environmental integrity of the Hudson-Raritan Estuary and the New York-New Jersey Bight area. The Bight area extends 100 miles into the Atlantic Ocean from the mouth of the Hudson-Raritan Estuary to the limit of the continental shelf, and including 240 miles of shoreline extending from Cape May, New Jersey, to Montauk Point, Long Island. The area is affected by activities from both New Jersey and New York and problems created by pollution and development should be addressed jointly and cooperatively.

-more-

A companion New York bill creating its portion of the committee was signed into law in 1990. The COAST committee is required to make an annual report to both Governors and Legislatures, bi-state Congressional members, the City of New York and affected county governments. New Jersey committee members include two Senators, two Assemblypersons, the Director of DEPE's Division of Science and Research, the Director of the state Division of Travel and Tourism, the Director of the Rutgers Institute of Marine and Coastal Sciences, the Director of the Center for Environmental Sciences at the Stevens Institute of Technology, and one public member.

"It's time to turn away from two decades of storm-reaction policies to common sense policies that will last," he said. "Let's make this a real heavy weather gear and wading boots Summit. Let's craft real solutions that will last beyond the next weather forecast."

Noting that 1993 marked the 20th anniversary of the state's CAFRA law -- the Coastal Area Facilities Review Act, Governor Florio reiterated his support to close loopholes in the law which have restrained more responsible coastal development. "I am eager to work with the Legislature to finally pass genuine reforms that protect our coastal areas and respect the needs of our local communities."

The bill, A 1572/S 1112, was sponsored by Assemblypersons Ernest Oros and Robert Franks, and Senators Randy Corman and Joseph Kyrillos.

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