

58:4-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 58:4-1 et al. ("Safe Dam Act"--revises statutes)

LAWS 1981 CHAPTER 249

Bill No. A1354

Sponsor(s) Weidel

Date Introduced March 13, 1980

Committee: Assembly Energy and Natural Resources

Senate Natural Resources and Agriculture

Amended during passage Yes ~~NO~~ Amendments denoted by asterisks
according to Governor's recommendations:

Date of Passage: Assembly June 9, 1980 Re-enacted 3-2-81

Senate Oct. 9, 1980 Re-enacted 6-15-81

Date of approval Aug. 6, 1981

Following statements are attached if available:

Sponsor statement Yes ~~NO~~ Also attached: Senate amendments, adopted 10-9-80 (with statement)

Committee Statement: Assembly Yes ~~NO~~

Senate Yes ~~NO~~

Fiscal Note ~~YES~~ No

Veto Message Yes ~~NO~~

Message on signing ~~YES~~ No

Following were printed:

Reports ~~YES~~ No

Hearings ~~YES~~ No

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CHAPTER 272 LAWS OF N. J. 1980

APPROVED... 1980

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ASSEMBLY, No. 1354

STATE OF NEW JERSEY

INTRODUCED MARCH 13, 1980

By Assemblyman WEIDEL

Referred to Committee on Energy and Natural Resources

AN ACT concerning the construction, inspection, repair and safety of dams and reservoirs; amending sections 58:4-1 to 58:4-6 and 58:4-8 to 58:4-10 of the Revised Statutes, supplementing chapter 4 of Title 58 of the Revised Statutes and repealing R. S. 58:4-7.

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

1 1. (New section) This act shall be known and may be cited as
2 the "Safe Dam Act."

1 2. (New section) The Commissioner of Environmental Protec-
2 tion shall, by rule, establish a periodic dam safety inspection and
3 reporting procedure, on an annual or longer term basis, for the
4 owner of any dam meeting the criteria contained in R. S. 58:4-1.
5 The owner shall have a professional engineer inspect the dam and
6 prepare and submit a report containing such information as the
7 commissioner may require, concerning the safety of said dam and
8 appurtenant structures. Every dam which raises the waters of
9 any stream more than 70 feet above its usual mean low-water
10 height or which impounds more than 10,000 acre-feet of water shall
11 be inspected on an annual basis by a professional engineer retained
12 by the owner, in the company of a professional engineer assigned
13 from the Department of Environmental Protection.

1 ***[**3. (New section) *The commissioner shall transmit copies*
2 *of all rules and regulations adopted pursuant to this act to the Sen-*
3 *ate and General Assembly on a day on which both Houses shall be*
4 *meeting in the course of a regular or special session. The President*
5 *of the Senate and Speaker of the General Assembly shall there-*
6 *upon refer the rules and regulations to the appropriate standing*
7 *reference committees of each House, which shall report their*
8 *recommendations on approval or disapproval to each House. The*
9 *provisions of the "Administrative Procedure Act," P. L. 1968, c.*

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

10 410 (C. 52:14B-1 et seq.) or any other law to the contrary not-
 11 withstanding, no such rule or regulation shall take effect if, within
 12 60 days of the date of transmittal to the Senate and General As-
 13 sembly, the Legislature shall pass a concurrent resolution stating
 14 in substance that the Legislature does not favor the proposed
 15 rule or regulation.**]***

1 **[3.]** ***[**4.**]** ***3.** R. S. 58:4-1 is amended to
 1A read as follows:

2 58:4-1. No municipality, corporation or person shall, without the
 3 consent of the [State Water Policy Commission] *Commissioner of*
 4 *Environmental Protection*, hereinafter in this chapter designated
 5 as the [“commission”] *commissioner*, build any reservoir
 6 or construct any dam on any river or stream in this State
 7 or between this and any other such state which will raise the waters
 8 of such river or stream more than 5 feet above their usual mean
 9 low-water height, nor repair, alter or improve existing dams which
 10 so raise the water, without such consent[, but this chapter shall
 11 not affect or relate to dams where the drainage area above the
 12 same is less than one-half square mile in extent.

13 Where the water surface created by any such dam or reservoir
 14 is less than 100 acres in extent, it shall not be necessary to obtain
 15 the approval of the commission for the repair of any such dam
 16 which would raise the water less than 8 feet above the surface of
 17 the ground unless complaint be made in writing to the commission
 18 raising a question as to the security and safety of the existing
 19 structure].

1 **[4.]** ***[**5.**]** ***4.** R. S. 58:4-2 is amended to
 1A read as follows:

2 58:4-2. Every municipality, corporation or person, before con-
 3 structing any reservoir or dam subject to the provisions of this
 4 chapter shall apply to the [commission] *commissioner* for
 5 the approval of the plans of such reservoir or dam, which approval
 6 the [commission] *commissioner* may grant with such modifications,
 7 limitations or changes as in [its] *his* judgment may be necessary
 8 for the protection of life and property.

1 **[5.]** ***[**6.**]** ***5.** R. S. 58:4-3 is amended to
 1A read as follows:

2 58:4-3. Every municipality, corporation or person owning and
 3 maintaining or having control of any reservoir or dam shall, upon
 4 written request therefor, furnish to the [commission] *commissioner*
 5 as full, true and particular description of the reservoir or dam
 6 as may be practicable, and shall, when so requested by the [com-

7 mission] *commissioner* cause to be made such surveys, plans and
 8 drawings of the reservoir or dam as may be necessary to give
 9 sufficient information for the determination of its safety as may
 10 be required by the [commission] *commissioner*.

1 **[6.]** ***[**7.**]** ***6.** R. S. 58:4-4 is amended to
 1A read as follows:

2 58:4-4. Upon written application by any person owning or
 3 representing property liable to be injured or destroyed by the
 4 breaking of any reservoir or dam, or upon application by the mayor
 5 or governing body of any municipality on account of possible
 6 danger of loss of life or of injury to any [highway or bridge]
 7 *property* within [his or its jurisdiction] *the municipality* from the
 8 breaking of any reservoir or dam, or without such complaint when-
 9 ever the [commission] *commissioner* shall [have cause to
 10 apprehend that any reservoir or dam is unsafe, the commission]
 11 *choose, he* shall forthwith thoroughly inspect such reservoir or dam.

1 **[7.]** ***[**8.**]** ***7.** R. S. 58:4-5 is amended to
 1A read as follows:

2 58:4-5. If, in the judgment of the [commission] *commissioner*,
 3 such reservoir or dam is not sufficiently strong to resist the pres-
 4 sure of water upon it or there is reasonable cause to believe that
 5 danger to life or property may be [apprehended] *anticipated* from
 6 the reservoir or dam, or if for any other cause the [commission]
 7 *commissioner* shall determine the reservoir or dam to be unsafe,
 8 *or improperly maintained* [it] *he* shall determine whether the
 9 water in such reservoir or above such dam shall be drawn off in
 10 whole or in part, and what alterations, additions and repairs are
 11 necessary to be made to the reservoir or dam to make the same safe
 12 *and properly maintained*. The [commission] *commissioner* shall
 13 forthwith in writing order the owner or person having control of
 14 the reservoir or dam to cause such alterations, additions and
 15 repairs to be made within the time to be limited in the order, and
 16 may order the water above the dam or in the reservoir to be drawn
 17 off in whole or in part as [it] *he* may determine. **The commissioner*
 18 *shall have the right to enter upon any and all properties for the*
 19 *purpose of obtaining information about the safety and proper*
 20 *maintenance of any reservoir, dam or appurtenant structures*
 21 *located therein.**

1 **[8.]** ***[**9.**]** ***8.** R. S. 58:4-6 is amended to
 1A read as follows:

2 58:4-6. If the owner or person having control of any reservoir
 3 or dam shall not forthwith comply with any order of the [com-

4 mission] *commissioner* made as provided in section 58:4-5 of this
 5 Title or shall not prosecute the work, when commenced, with reason-
 6 able expedition, the [commission] *commissioner* may direct the
 7 Attorney General to proceed in the name of the State to enforce
 8 its order in a court of competent jurisdiction. Action may be
 9 brought against the person controlling or owning the reservoir or
 10 dam, and the court may make such order and judgment in the
 11 premises as will effectually secure the persons interested from
 12 danger of loss from the breaking of the reservoir or dam complained
 13 of. The court may proceed in the action in a summary manner
 14 or otherwise. *Any person who violates the provisions of this chapter*
 15 *or of any order issued pursuant to this chapter shall be liable to a*
 16 *penalty of not more than \$5,000.00 for each offense. If the viola-*
 17 *tion is of a continuing nature, each day during which it continues*
 18 *shall constitute an additional, separate and distinct offense.*

1 **[9.]** ***[**10.**]** ***9.** R. S. 58:4-8 is amended to
 1A read as follows:

2 58:4-8. The [commission] *commissioner* may, when provided
 3 with sufficient funds, [create a department] *employ personnel* for
 4 the inspection of existing reservoirs and dams and the supervision
 5 of the erection of new reservoirs and dams in this State or between
 6 this and any other state so that said structures may be built with
 7 due regard for the safety of property and life which might be
 8 endangered by improper construction thereof.

1 **[10.]** ***[**11.**]** ***10.** R. S. 58:4-9 is amended to
 1A read as follows:

2 58:4-9. Where a reservoir or dam has been in existence 20
 3 years and the owners of land along the shores above such dam
 4 or on such reservoir have made or shall have made permanent
 5 improvements on said land or where the shores have become a
 6 populated community, depending upon the permanency of the
 7 condition created, and a petition signed by a majority of the land-
 8 owners along the shore of any pond formed by the reservoir or
 9 dam protesting against the removal of the reservoir, water or dam
 10 has been filed with the [commission] *commissioner*, the owner or
 11 owners of the reservoir or dam shall not, without the consent of
 12 the [commission] *commissioner*, tear down, destroy or abandon
 13 the reservoir or dam, or withdraw the water below the usual low-
 14 water mark, or maintain such a condition, except for the purpose
 15 of necessary repairs.

1 **[11.]** ***[**12.**]** ***11.** R. S. 58:4-10 is amended
 1A to read as follows:

2 58:4-10. When a petition has been filed protesting against the
3 removal of any reservoir, water or dam as provided in section
4 58:4-9 of this Title the **[commission]** *commissioner* shall grant a
5 hearing, upon 20 days' notice to all parties interested, and may
6 then establish and fix a permanent low-water mark. Should it
7 appear that the maintenance of such a dam would be an undue
8 burden upon the owner thereof, the landowners interested around
9 the reservoir or above the dam may, in the discretion of the **[com-**
10 **mission]** *commissioner*, be ordered to pay a part or all of the
11 expenses of maintenance.

1 ****[12.]**** *****[**13.**]**** *****12.**** R. S. 58:4-7 is repealed.

1 ****[13.]**** *****[**14.**]**** *****13.**** This act shall take effect
2 immediately.

ASSEMBLY, No. 1354

STATE OF NEW JERSEY

INTRODUCED MARCH 13, 1980

By Assemblyman WEIDEL

Referred to Committee on Energy and Natural Resources

AN ACT concerning the construction, inspection, repair and safety of dams and reservoirs; amending sections 58:4-1 to 58:4-6 and 58:4-8 to 58:4-10 of the Revised Statutes, supplementing chapter 4 of Title 58 of the Revised Statutes and repealing R. S. 58:4-7.

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

1 1. (New section) This act shall be known and may be cited as
2 the "Safe Dam Act."

1 2. (New section) The Commissioner of Environmental Protec-
2 tion shall, by rule, establish a periodic dam safety inspection and
3 reporting procedure, on an annual or longer term basis, for the
4 owner of any dam meeting the criteria contained in R. S. 58:4-1.
5 The owner shall have a professional engineer inspect the dam and
6 prepare and submit a report containing such information as the
7 commissioner may require, concerning the safety of said dam and
8 appurtenant structures. Every dam which raises the waters of
9 any stream more than 70 feet above its usual mean low-water
10 height or which impounds more than 10,000 acre-feet of water shall
11 be inspected on an annual basis by a professional engineer retained
12 by the owner, in the company of a professional engineer assigned
13 from the Department of Environmental Protection.

1 3. R. S. 58:4-1 is amended to read as follows:

2 58:4-1. No municipality, corporation or person shall, without the
3 consent of the **[State Water Policy Commission]** *Commissioner of*
4 *Environmental Protection*, hereinafter in this chapter designated
5 as the **[“commissioner”]** *commissioner*, build any reservoir
6 or construct any dam on any river or stream in this State
7 or between this and any other such state which will raise the waters
8 of such river or stream more than 5 feet above their usual mean
9 low-water height, nor repair, alter or improve existing dams which

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

10 so raise the water, without such consent[, but this chapter shall
 11 not affect or relate to dams where the drainage area above the
 12 same is less than one-half square mile in extent.

13 Where the water surface created by any such dam or reservoir
 14 is less than 100 acres in extent, it shall not be necessary to obtain
 15 the approval of the commission for the repair of any such dam
 16 which would raise the water less than 8 feet above the surface of
 17 the ground unless complaint be made in writing to the commission
 18 raising a question as to the security and safety of the existing
 19 structure].

1 4. R. S. 58:4-2 is amended to read as follows:

2 58:4-2. Every municipality, corporation or person, before con-
 3 structing any reservoir or dam subject to the provisions of this
 4 chapter shall apply to the [commission] commissioner for
 5 the approval of the plans of such reservoir or dam, which approval
 6 the [commission] commissioner may grant with such modifications,
 7 limitations or changes as in [its] his judgment may be necessary
 8 for the protection of life and property.

1 5. R. S. 58:4-3 is amended to read as follows:

2 58:4-3. Every municipality, corporation or person owning and
 3 maintaining or having control of any reservoir or dam shall, upon
 4 written request therefor, furnish to the [commission] commissioner
 5 as full, true and particular description of the reservoir or dam
 6 as may be practicable, and shall, when so requested by the [com-
 7 mission] commissioner cause to be made such surveys, plans and
 8 drawings of the reservoir or dam as may be necessary to give
 9 sufficient information for the determination of its safety as may
 10 be required by the [commission] commissioner.

1 6. R. S. 58:4-4 is amended to read as follows:

2 58:4-4. Upon written application by any person owning or
 3 representing property liable to be injured or destroyed by the
 4 breaking of any reservoir or dam, or upon application by the mayor
 5 or governing body of any municipality on account of possible
 6 danger of loss of life or of injury to any [highway or bridge]
 7 property within [his or its jurisdiction] the municipality from the
 8 breaking of any reservoir or dam, or without such complaint when-
 9 ever the [commission] commissioner shall [have cause to
 10 apprehend that any reservoir or dam is unsafe, the commission]
 11 choose, he shall forthwith thoroughly inspect such reservoir or dam.

1 7. R. S. 58:4-5 is amended to read as follows:

2 58:4-5. If, in the judgment of the [commission] commissioner,
 3 such reservoir or dam is not sufficiently strong to resist the pres-
 4 sure of water upon it or there is reasonable cause to believe that

5 danger to life or property may be [apprehended] *anticipated* from
 6 the reservoir or dam, or if for any other cause the [commission]
 7 *commissioner* shall determine the reservoir or dam to be unsafe,
 8 *or improperly maintained* [it] *he* shall determine whether the
 9 water in such reservoir or above such dam shall be drawn off in
 10 whole or in part, and what alterations, additions and repairs are
 11 necessary to be made to the reservoir or dam to make the same *safe*
 12 *and properly maintained*. The [commission] *commissioner* shall
 13 forthwith in writing order the owner or person having control of
 14 the reservoir or dam to cause such alterations, additions and
 15 repairs to be made within the time to be limited in the order, and
 16 may order the water above the dam or in the reservoir to be drawn
 17 off in whole or in part as [it] *he* may determine.

1 8. R. S. 58:4-6 is amended to read as follows:

2 58:4-6. If the owner or person having control of any reservoir
 3 or dam shall not forthwith comply with any order of the [com-
 4 mission] *commissioner* made as provided in section 58:4-5 of this
 5 Title or shall not prosecute the work, when commenced, with reason-
 6 able expedition, the [commission] *commissioner* may direct the
 7 Attorney General to proceed in the name of the State to enforce
 8 its order in a court of competent jurisdiction. Action may be
 9 brought against the person controlling or owning the reservoir or
 10 dam, and the court may make such order and judgment in the
 11 premises as will effectually secure the persons interested from
 12 danger of loss from the breaking of the reservoir or dam complained
 13 of. The court may proceed in the action in a summary manner
 14 or otherwise. *Any person who violates the provisions of this chapter*
 15 *or of any order issued pursuant to this chapter shall be liable to a*
 16 *penalty of not more than \$5,000.00 for each offense. If the viola-*
 17 *tion is of a continuing nature, each day during which it continues*
 18 *shall constitute an additional, separate and distinct offense.*

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 3 with sufficient funds, [create a department] *employ personnel* for
 4 the inspection of existing reservoirs and dams and the supervision
 5 of the erection of new reservoirs and dams in this State or between
 6 this and any other state so that said structures may be built with
 7 due regard for the safety of property and life which might be
 8 endangered by improper construction thereof.

1 10. R. S. 58:4-9 is amended to read as follows:

2 58:4-9. Where a reservoir or dam has been in existence 20
 3 years and the owners of land along the shores above such dam

4 or on such reservoir have made or shall have made permanent
5 improvements on said land or where the shores have become a
6 populated community, depending upon the permanency of the
7 condition created, and a petition signed by a majority of the land-
8 owners along the shore of any pond formed by the reservoir or
9 dam protesting against the removal of the reservoir, water or dam
10 has been filed with the [commission] *commissioner*, the owner or
11 owners of the reservoir or dam shall not, without the consent of
12 the [commission] *commissioner*, tear down, destroy or abandon
13 the reservoir or dam, or withdraw the water below the usual low-
14 water mark, or maintain such a condition, except for the purpose
15 of necessary repairs.

1 11. R. S. 58:4-10 is amended to read as follows:

2 58:4-10. When a petition has been filed protesting against the
3 removal of any reservoir, water or dam as provided in section
4 58:4-9 of this Title the [commission] *commissioner* shall grant a
5 hearing, upon 20 days' notice to all parties interested, and may
6 then establish and fix a permanent low-water mark. Should it
7 appear that the maintenance of such a dam would be an undue
8 burden upon the owner thereof, the landowners interested around
9 the reservoir or above the dam may, in the discretion of the [com-
10 mission] *commissioner*, be ordered to pay a part or all of the
11 expenses of maintenance.

1 12. R. S. 58:4-7 is repealed.

1 13. This act shall take effect immediately.

STATEMENT

The purpose of the "Safe Dam Act" is to protect the life and property of persons located downstream from certain dams and reservoirs. This act revises the dam and reservoir statutes, first enacted in 1912, to require periodic inspections and reports to the Commissioner of Environmental Protection by professional engineers retained by the owner of all dams and reservoirs in the State which raise the waters of any river or stream more than five feet above their usual mean low-water height. It further requires the commissioner to assign a professional engineer from the department to participate in annual inspections of the 12 largest dams in the State, including Spruce Run and Round Valley. The bill also adds a penalty provision to the original act, eliminates several exceptions contained in the original act and makes various technical changes to that act.

ASSEMBLY ENERGY AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1354
with Assembly committee amendments

STATE OF NEW JERSEY

DATED: APRIL 28, 1980

As amended by the committee, this bill revises the dam and reservoir statutes, first enacted in 1912, to require periodic inspections and reports to the Commissioner of Environmental Protection by professional engineers retained by the owner of all dams and reservoirs in the State, both privately and publicly-owned, which raise the waters of any river or stream more than 5 feet above the usual mean low-water height.

In addition, the bill (1) grants the Commissioner of Environmental Protection the right of entry upon any property wherein is located a reservoir, dam or appurtenant structure thereto for the purpose of obtaining information concerning the safe and proper maintenance of any such facility; (2) requires annual inspection, in the presence of an engineer from the Department of Environmental Protection, of every dam which raises the waters of any stream more than 70 feet above its usual mean low-water height, or which impounds more than 10,000 acre-feet of water (thus including the State's 12 largest dams, e.g. Spruce Run and Round Valley); (3) eliminates exemptions for building reservoirs or dams which raise the waters 5 feet for minimum drainage areas, and eliminates exemptions with respect to repairs of dams which raise water less than 8 feet above ground level; (4) changes the authority over the act's enforcement from the State Water Policy Commission to the Commissioner of Environmental Protection; and, (5) adds a penalty provision for violation of this act.

SENATE NATURAL RESOURCES AND AGRICULTURE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1354
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: SEPTEMBER 22, 1980

As amended by the committee, this bill revises the dam and reservoir statutes, first enacted in 1912, to require periodic inspections and reports to the Commissioner of Environmental Protection by professional engineers retained by the owner of all dams and reservoirs in the State, both privately and publicly-owned, which raise the waters of any river or stream more than 5 feet above the usual mean low-water height.

In addition, the bill (1) grants the Commissioner of Environmental Protection the right of entry upon any property wherein is located a reservoir, dam or appurtenant structure thereto for the purpose of obtaining information concerning the safe and proper maintenance of any such facility; (2) requires annual inspection, in the presence of an engineer from the Department of Environmental Protection, of every dam which raises the waters of any stream more than 70 feet above its usual mean low-water height, or which impounds more than 10,000 acre-feet of water (thus including the State's 12 largest dams, e.g. Spruce Run and Round Valley); (3) eliminates exemptions for building reservoirs or dams which raise the waters 5 feet for minimum drainage areas, and eliminates exemptions with respect to repairs of dams which raise water less than 8 feet above ground level; (4) changes the authority over the act's enforcement from the State Water Policy Commission to the Commissioner of Environmental Protection; and, (5) adds a penalty provision for violation of this act.

SENATE AMENDMENTS TO
ASSEMBLY, No. 1354

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED OCTOBER 9, 1980

Amend page 1, section 2, after line 13, insert a new section 3 as follows:

“3. (New section) The commissioner shall transmit copies of all rules and regulations adopted pursuant to this act to the Senate and General Assembly on a day on which both Houses shall be meeting in the course of a regular or special session. The President of the Senate and Speaker of the General Assembly shall thereupon refer the rules and regulations to the appropriate standing reference committees of each House, which shall report their recommendations on approval or disapproval to each House. The provisions of the ‘Administrative Procedure Act,’ P. L. 1968, c. 410 (C. 52:14B-1 et seq.) or any other law to the contrary notwithstanding, no such rule or regulation shall take effect if, within 60 days of the date of transmittal to the Senate and General Assembly, the Legislature shall pass a concurrent resolution stating in substance that the Legislature does not favor the proposed rule or regulation.”.

Amend pages 1-4, sections 3-13, line 1, renumber sections 3 through 13, as 4 through 14.

STATEMENT

These amendments provide for legislative oversight of rules and regulations proposed by the Commissioner of Environmental Protection under the “Safe Dam Act.”

February 20, 1981

ASSEMBLY BILL NO. 1354 (2nd OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1354 (2nd OCR) with my objections.

This bill would revise outdated dam and reservoir statutes to require periodic inspections and reports to the Department of Environmental Protection of all dams of environmental consequence. In addition, the bill would generally modernize and update the statutory law.

While the environmental protection aspects of the legislation appear worthwhile, the Legislature has included a provision for legislative oversight. All rules adopted by the Commissioner of Environmental Protection to implement this act would have to be submitted to the Legislature. If the Legislature passed a concurrent resolution within 60 days of submittal disapproving a rule, it would not take effect.

I see no need in the context of this legislation to elaborate on my continuing opposition to legislative oversight and would just refer to my statement on vetoing Senate Bill No. 1560 of this session.

Accordingly, I recommend that Assembly Bill No. 1354 (2nd OCR) be amended as follows:

Pages 1 and 2, Section 3, Lines 1-15: Omit in their entirety.

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Harold L. Hodes

Chief of Staff, Secretary

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

AUGUST 6, 1981

DAVE DE MAIO

Governor Brendan Byrne today signed the following bills into law:

SJR-14, sponsored by Senator Matthew Feldman (D-Bergen), designates the Bergen County Regional Day School for the Handicapped as the Norman A. Bleshman School, in honor of the Bergen County activist for handicapped services.

Bleshman was unanimously selected for the honor by an ad hoc committee of the Bergen County Board of Special Services. The Committee's report, in part, read:

"...no single person...has voluntarily given so freely of his time, his energy, his ability and his heart over a long period of years as has Norman A. Bleshman to the cause of handicapped children."

A-1311, sponsored by Assemblyman Anthony M. Villane, Jr. (R-Monmouth), prohibits the unwarranted duplication of keys to property owned or leased by the State, and directs the Department of the Treasury to promulgate rules governing the use, distribution, manufacture, duplication and possession of those keys.

Governor Byrne conditionally vetoed the original version of this bill, which called for a confusing set of 19 rules for each of the 19 executive departments. The Legislature adopted his recommendation to place all jurisdiction for the rule-making under the Treasury Department.

A-1354, sponsored by Assemblyman Karl Weidel (R-Mercer), designates the "Safe Dam Act" which updates the State statutes concerning dams and reservoirs and requires inspections by the Department of Environmental Protection.

Governor Byrne conditionally vetoed the original bill because it contained a provision for legislative oversight of DEP rulings. The Legislature adopted the Governor's recommendation to drop the legislative oversight provision.

A-1951, sponsored by Assemblyman James W. Bornheimer (D-Middlesex), amends existing laws concerning "surplus lines insurance"-- insurance that, because of the nature of the risk, is generally not carried by insurance companies authorized to do business in New Jersey, but is offered through New Jersey-based agents by United States and foreign companies, the largest single supplier of surplus lines coverage, being Lloyds of London

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