

ASSEMBLY, No. 1641

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1996

By Assemblymen ASSELTA, GIBSON, Connors, T. Smith,  
LeFevre, Corodemus, Cottrell, Wolfe, Arnone, Azzolina,  
DeSopo, Blee, Roma, Malone, Holzapfel and Moran

1 AN ACT dedicating certain moneys for the purposes of maintenance  
2 dredging, amending N.J.S.18A:56-5 and supplementing Title 12 of  
3 the Revised Statutes.

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

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8 1. N.J.S.18A:56-5 is amended to read as follows:

9 18A:56-5. All lands belonging to this State now or formerly lying  
10 under water are dedicated to the support of public schools. [All]  
11 Except as provided pursuant to P.L. , c. (C.)(before the  
12 Legislature as this bill), all moneys hereafter received from the sales  
13 of such lands shall be paid to the board of trustees, and shall constitute  
14 a part of the permanent school fund of the State. To the extent that  
15 moneys received from the sales of these lands may, by law, be made  
16 payable to any purposes other than the school fund, these moneys shall  
17 not be paid to other purposes so long as there is a deficiency in the  
18 school bond reserve.

19 (cf: P.L.1980, c.72, s.3)

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21 2. (New section) Notwithstanding any provisions of  
22 N.J.S.18A:56-5 to the contrary, there shall be appropriated annually  
23 to the Department of Environmental Protection, from the moneys  
24 received from the sales of any lands belonging to the State now or  
25 formerly lying under water, a sum equal to the amount appropriated  
26 in the same fiscal year to the Tidelands Resource Council from monies  
27 received from the sales of such lands, to provide for the maintenance  
28 dredging of State navigational waterways; provided that, in addition  
29 to the amounts appropriated to the department and the council, not  
30 less than \$500,000 is available for deposit each year into the Fund for  
31 the Support of Free Public Schools. If in any year the annual  
32 appropriation to the department would result in a deposit of less than

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

**Matter underlined thus is new matter.**

1 \$500,000 to the Fund, the appropriation to the department shall be  
2 reduced by such amount as shall be necessary to ensure that not less  
3 than \$500,000 is deposited into the Fund. The department shall  
4 establish and annually update a priority list of dredging projects  
5 eligible to receive funding from moneys appropriated pursuant to this  
6 section.

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8 3. This act shall take effect immediately.

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STATEMENT

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13 This bill would require that an annual appropriation be made to the  
14 Department of Environmental Protection (DEP) from the moneys  
15 received from the sales of any lands belonging to the State now or  
16 formerly lying under water, to provide for the maintenance dredging  
17 of State navigational waterways. The amount of the appropriation  
18 would be equal to the amount appropriated to the Tidelands Resource  
19 Council from sales of such lands. If the appropriation to the  
20 department would result in a deposit of less than \$500,000 to the  
21 Fund for the Support of Free Public Schools, the appropriation would  
22 be reduced to allow for at least a \$500,000 deposit to the Fund. The  
23 bill also requires the department to establish and annually update a  
24 priority list of dredging projects eligible to receive funding from  
25 moneys appropriated pursuant to the bill.

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27 The bill also amends N.J.S.18A:56-5 to authorize the use of monies  
28 from the lease of riparian lands, which are currently dedicated to the  
29 fund for the support of free public schools, for maintenance dredging  
as provided by section 2 of the bill.

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35 Authorizes annual appropriation of moneys received from riparian land  
leases for maintenance dredging.