

ASSEMBLY ENVIRONMENT, SCIENCE AND TECHNOLOGY  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2969**

**STATE OF NEW JERSEY**

DATED: JUNE 12, 1997

The Assembly Environment, Science and Technology Committee reports favorably Assembly Bill No. 2969.

This bill would establish a procedure for the Legislature to annually review the expenditure of monies deposited in the Shore Protection Fund. Currently, the Department of Environmental Protection (DEP) receives an annual appropriation (\$15 million) pursuant to the appropriations act from the fund to pay for the costs of shore protection projects as determined by the DEP. This bill would require the commissioner to develop a priority system for ranking shore protection projects and to establish appropriate ranking criteria.

Commencing with the fiscal year beginning on July 1, 1998, and for each fiscal year thereafter, the commissioner would be required to use the priority system to establish a shore protection project priority list for projects designated to receive funding pursuant to an appropriation made from the "Shore Protection Fund" established pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1). The list would include a description of each project and its purpose, impact, estimated cost, and estimated construction schedule, and an explanation of the manner in which priorities were established.

The commissioner would be required to submit a description of the priority system and the project priority list for the ensuing fiscal year to the Legislature on or before January 31 of each year on a day when both Houses are meeting. The project priority list would then be introduced in each House in the form of legislative bills authorizing the expenditure of monies appropriated pursuant to the fund for projects on the list. The bills would be referred to the Senate Economic Growth, Agriculture and Tourism Committee and the General Assembly Environment, Science and Technology Committee, or their successors, for their respective consideration.

Within 60 days of referral, the Senate and General Assembly Committees would be required to consider the legislation and report it, together with any modifications, out of committee for consideration by each House of the Legislature. On or before June 1 of each year, the Legislature would be required to approve the authorizing

legislation. The bill would prohibit the expenditure of monies appropriated from the Shore Protection Fund to the Department of Environmental Protection for any shore protection project unless the expenditure is authorized pursuant to legislation, as described above.

The bill would also amend P.L.1992, c.148 to provide that monies deposited in the Shore Protection Fund be used for shore protection projects in accordance with the priority list approved by the Legislature. However, the commissioner would retain the authority to allocate monies appropriated from the fund for shore protection projects of an emergency nature.

The bill authorizes the Department of Environmental Protection to transfer monies between projects authorized pursuant to legislation to compensate for the differences between the estimated and actual costs of a project. The bill also provides that, in the event the Legislature does not approve legislation within the time frame specified in the bill, the expenditure of monies appropriated from the Shore Protection Fund would be authorized pursuant to the provisions of the annual appropriations act. Other provisions of the bill further clarify that monies appropriated from the Shore Protection Fund could be expended for shore protection projects of an emergency nature, as already provided pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1). The bill would take effect on January 1 following enactment.

As reported by the committee, this bill is identical to Senate Bill No. 1649 (1R) of 1996 as also reported by the committee.