

Approp.

P.L. 1997, CHAPTER 61, *approved April 3, 1997*
Senate, No. 1672 (*Third Reprint*)

1 **AN ACT** concerning the appropriation of moneys from the "Water
2 Conservation Bond Act," P.L.1969, c.127, for the cost of
3 acquisition of lands ³or interests therein³ in Sterling Forest for the
4 purpose of augmenting, increasing, improving, preserving,
5 protecting, or conserving natural water resources and supplies
6 important to New Jersey and facilitating recreational uses incidental
7 thereto, and amending P.L.1995, c.7.

8
9 **BE IT ENACTED** by the Senate and General Assembly of the State
10 of New Jersey:

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12 1. Section 1 of P.L.1995, c.7 is amended to read as follows:
13 1. a. There is appropriated to the Department of Environmental
14 Protection from the "Water Conservation Fund" established pursuant
15 to section 13 of the "Water Conservation Bond Act," P.L.1969, c.127,
16 for distribution to the Palisades Interstate Park Commission, the sum
17 [up to] of \$10,000,000 for the acquisition of lands or interests therein
18 by the Palisades Interstate Park Commission in Sterling Forest, New
19 York, for the purpose of augmenting, increasing, improving,
20 preserving, protecting, or conserving natural water resources and
21 supplies important to New Jersey and facilitating recreational uses
22 incidental thereto. Upon the enactment of ¹[federal law authorizing
23 \$17,500,000 for the acquisition of Sterling Forest in New York, and
24 appropriating any portion thereof,] the federal "Omnibus Parks and
25 Public Lands Management Act of 1996," Pub. L. 104-333, and within
26 60 days of the effective date of P.L. , c. (now pending before the
27 Legislature as this bill),¹ the Department of Environmental Protection
28 shall distribute to the Palisades Interstate Park Commission the sum of
29 \$10,000,000 appropriated pursuant to this subsection as New Jersey's

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SBA committee amendments adopted November 18, 1996.

² Senate floor amendments adopted November 25, 1996.

³ Assembly floor amendments adopted February 20, 1997.

1 share of the purchase. The Palisades Interstate Park Commission
 2 shall hold these funds in an interest bearing account until such time as
 3 a purchase agreement has been consummated and the funds are
 4 required. Any interest that accrues on the funds ²in the account² shall
 5 be ²[used for the acquisition of the lands in Sterling Forest, New York,
 6 or costs related thereto] ³[periodically transferred to the State
 7 Treasurer who shall immediately deposit the interest earnings to the
 8 credit of the General Fund²] used for the acquisition of lands or
 9 interests therein in Sterling Forest, New York, or costs related
 10 thereto³. If no purchase agreement is entered into within three years
 11 of the effective date of P.L. , c ³ ³ (now pending before the
 12 Legislature as this bill), ²[the funds] ³the³ \$10,000,000² ³plus interest
 13 earnings³ shall be returned to the Department of Environmental
 14 Protection ³and deposited into the "Water Conservation Fund" to be
 15 used³ for the purposes expressed in the "Water Conservation Bond
 16 Act," P.L.1969, c.127. ³[²Any remaining undistributed interest
 17 earnings in the account shall be transferred to the State Treasurer who
 18 shall immediately deposit the interest earnings to the credit of the
 19 General Fund.²]³ The Department of Environmental Protection shall
 20 be satisfied that any moneys expended pursuant to this section are
 21 consistent with the fair market value of the lands or interests therein
 22 purchased.

23 b. To the extent that the balance of the moneys available in the
 24 "Water Conservation Fund" that have not been previously
 25 appropriated pursuant to law is insufficient to support the sum
 26 appropriated pursuant to subsection a. of this section, the following
 27 shall be made available from the "Water Conservation Fund" to
 28 support the remainder of the appropriation made in subsection a. as
 29 required: (1) moneys returned to the "Water Conservation Fund" due
 30 to project withdrawals, cancellations, or cost savings involving
 31 projects previously funded by law; and (2) moneys previously
 32 appropriated by law from the "Water Conservation Fund" to fund
 33 projects but for which no such moneys have been expended, other than
 34 for administrative or program purposes, in the five-year period
 35 immediately prior to the effective date of this act, or to fund projects
 36 deemed by the Department of Environmental Protection as of the
 37 effective date of this act to be no longer active, the previous
 38 appropriation of which is cancelled subject to the approval of the Joint
 39 Budget Oversight Committee or its successor.
 40 (cf: P.L.1995, c.7, s.1)

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42 2. Section 4 of P.L.1995, c.7 is amended to read as follows:

43 4. This act shall take effect immediately, except that section 1 of
 44 this act shall take effect upon [enactment of substantially similar
 45 legislation by] the State of New York [appropriating] committing the
 46 sum of at least \$10,000,000 ¹[and]¹ [by] ¹[upon the federal

1 government]¹ [appropriating] ¹[authorizing to be appropriated a sum
2 of at least \$17,500,000]¹ for the acquisition of lands ³or interests
3 therein³ in Sterling Forest, New York, for the purpose of augmenting,
4 increasing, improving, preserving, protecting, and conserving natural
5 water resources and supplies, or for recreation and conservation or
6 similar purposes. [In no event shall New Jersey's contribution to the
7 purchase of Sterling Forest when added to New York's contribution,
8 exceed the amount of the federal appropriation. The obligation of
9 funds pursuant to section 1 of this act shall expire if no agreement to
10 purchase lands in Sterling Forest has been executed within three years
11 of the date of enactment of this act.]

12 (cf: P.L.1995, c.7, s.4)

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14 3. This act shall take effect immediately.

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19 Makes P.L.1995, c.7 effective immediately; requires Palisades
20 Interstate Park Commission to hold funds in interest bearing account
21 until purchase agreement for Sterling Forest lands is consummated;
22 requires return of funds to DEP if no agreement is consummated
23 within three years.