

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 299

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 1996

The Senate Environment Committee favorably releases Senate Bill No. 299 with committee amendments.

This bill, as amended, would require the Tidelands Resource Council to develop and make available a guide written in plain language that provides various historical information on riparian lands as well as instructions on the application and appeal process and the fees involved. The bill would also require the council to adopt their fee rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), thus allowing for public comment on these decisions. The council would not be required, however, to adopt as a rule or regulation the method used to determine the fair market value of riparian land.

In addition, the bill would require that at least 9 members of the council to be residents of counties wherein riparian lands are located and have been mapped. The bill provides that current members of the council that do not meet the residency requirements will remain on the council until their term of office has expired. In order to ensure that sufficient members of the council attend meetings, the bill provides that a member can be removed from office by a majority vote of the council membership if that member is absent from three consecutive meetings without good cause.

Finally, the bill further provides that all leases and licenses of riparian lands must be effective for at least seven years. Although in the past leases and licenses have been granted for as long as fifteen years, the current practice of the council is to only provide three year terms.

The committee amendments retain the council membership at its present level of 12 members rather than increasing the membership to 13, provide that the council may charge copying fees for providing copies of the informational guide to the public, and make various technical amendments to the bill.

This bill was pre-filed for introduction in the 1996 session pending technical review which has been performed.