

[First Reprint]

**ASSEMBLY, No. 2806**

**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

INTRODUCED JUNE 12, 2008

**Sponsored by:**

**Assemblyman DOUGLAS H. FISHER**  
**District 3 (Salem, Cumberland and Gloucester)**  
**Assemblyman JOHN S. WISNIEWSKI**  
**District 19 (Middlesex)**

**Co-Sponsored by:**

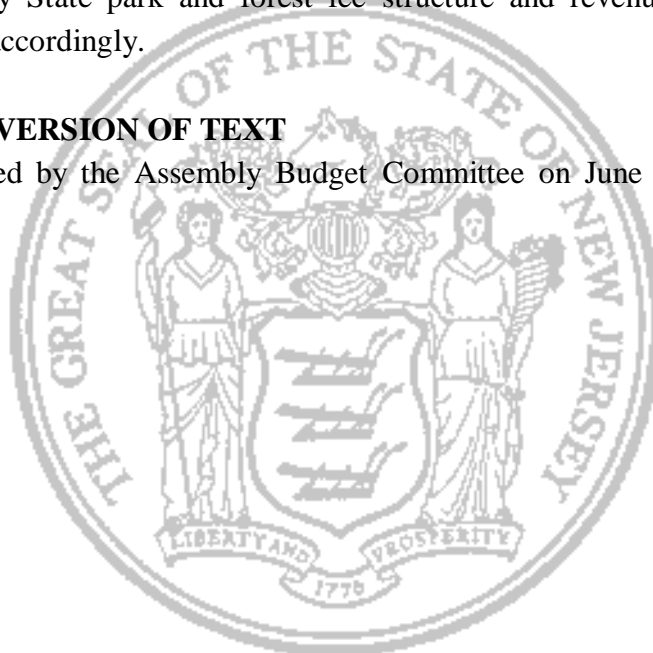
**Senators Gordon and B.Smith**

**SYNOPSIS**

Allows in FY2009 up to \$9 million from “Shore Protection Fund” to be used to help defray State park and forest operation and maintenance costs; requires DEP to study State park and forest fee structure and revenue sources, and modify fees accordingly.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Budget Committee on June 19, 2008, with amendments.



**(Sponsorship Updated As Of: 6/24/2008)**

1 AN ACT concerning State parks and forests, amending various parts  
2 of the statutory law, and supplementing P.L.1992, c.148  
3 (C.13:19-16.1 et al.).

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 1 of P.L.1992, c.148 (C.13:19-16.1) is amended to  
9 read as follows:

10 1. a. There is created in the Department of the Treasury a  
11 special non-lapsing fund to be known as the "Shore <sup>1</sup>**[and**  
12 **Recreation Resource]**<sup>1</sup> Protection Fund." The monies in the fund  
13 are dedicated and shall only be used to carry out the purposes  
14 enumerated in subsection b. of this section. The fund shall be  
15 credited with all revenues collected and deposited in the fund  
16 pursuant to section 4 of P.L.1968, c.49 (C.46:15-8), all interest  
17 received from the investment of monies in the fund, and any monies  
18 which, from time to time, may otherwise become available for the  
19 purposes of the fund. Pending the use thereof pursuant to the  
20 provisions of subsection b. of this section, the monies deposited in  
21 the fund shall be held in interest-bearing accounts in public  
22 depositories, as defined pursuant to section 1 of P.L.1970, c.236  
23 (C.17:9-41), and may be invested or reinvested in such securities as  
24 are approved by the State Treasurer. Interest or other income  
25 earned on monies deposited into the fund shall be credited to the  
26 fund for use as set forth in this act for other monies in the fund.

27 b. <sup>(1)</sup> Monies deposited in the "Shore <sup>1</sup>**[and Recreation**  
28 **Resource]**<sup>1</sup> Protection Fund" shall be used, in accordance with the  
29 priority list approved by the Legislature pursuant to section 1 of  
30 P.L.1997, c.384 (C.13:19-16.2), for shore protection projects  
31 associated with the protection, stabilization, restoration or  
32 maintenance of the shore, including monitoring studies and land  
33 acquisition, consistent with the current New Jersey Shore Protection  
34 Master Plan prepared pursuant to section 5 of P.L.1978, c.157, and  
35 may include the nonfederal share of any State-federal project. The  
36 requirements of subsection c. of section 1 of P.L.1997, c.384  
37 (C.13:19-16.2) notwithstanding, the Commissioner of  
38 Environmental Protection may, pursuant to appropriations made by  
39 law, allocate monies deposited in the fund for shore protection  
40 projects of an emergency nature, in the event of storm, stress of  
41 weather or similar act of God. Two percent of the monies annually  
42 deposited in the fund shall be allocated and annually appropriated  
43 for the purposes of funding the Coastal Protection Technical  
44 Assistance Service established pursuant to section 1 of P.L.1993,

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ABU committee amendments adopted June 19, 2008.

1 c.176 (C.18A:64L-1), of which amount up to \$100,000 annually  
2 may be utilized for funding coastal engineering research and  
3 development to be conducted by Stevens Institute of Technology in  
4 response to requests therefor made by State or local governmental  
5 entities.

6 (2) <sup>1</sup>[In] (a) Notwithstanding the provisions of paragraph (1) of  
7 this subsection, in<sup>1</sup> State Fiscal Year 2009 up to \$9,000,000 of the  
8 monies deposited in the Shore <sup>1</sup>[and Recreation Resource]<sup>1</sup>  
9 Protection Fund may be used to help defray the cost of operation  
10 and maintenance of State parks and forests as defined in subsection  
11 e. of P.L.1983, c.324 (C.13:1L-3).

12 <sup>1</sup>(b) (i) If the unobligated balance of the monies in the Shore  
13 Protection Fund on June 30, 2009 is less than \$20,000,000, as  
14 certified by the State Treasurer, the sum of \$9,000,000 shall be  
15 appropriated and credited to the Shore Protection Fund, to be used  
16 solely for the purposes prescribed in paragraph (1) of this  
17 subsection, from the proceeds of the State portion of the basic fee,  
18 collected pursuant to P.L.1968, c.49 (C.46:15-5 et seq.) and paid to  
19 the State Treasurer pursuant to paragraph (2) of subsection b. of  
20 section 4 of P.L.1968, c.49 (C.46:15-8), excluding any amounts  
21 from those proceeds credited to the Shore Protection Fund pursuant  
22 to paragraph (1) of subsection c. of section 4 of P.L.1968, c.49  
23 (C.46:15-8), or from such other unappropriated revenues as the  
24 State Treasurer may determine that are not otherwise dedicated by  
25 law.

26 (ii) If the requirements of subsubparagraph (i) of this  
27 subparagraph are not met for any reason, or any portion of the sum  
28 of \$9,000,000 transferred and credited to the Shore Protection Fund  
29 pursuant to that subsubparagraph is used for any purpose other than  
30 the purposes prescribed in paragraph (1) of this subsection, the  
31 Director of the Division of Budget and Accounting in the  
32 Department of the Treasury shall, not later than five days thereafter,  
33 certify to the Director of the Division of Taxation that these  
34 requirements have not been met.<sup>1</sup>

35 (cf: P.L.1997, c.384, s.2)

36

37 <sup>1</sup>[2. (New section) Whenever in any law, rule, regulation,  
38 order, contract, document, judicial or administrative proceeding or  
39 otherwise, reference is made to the "Shore Protection Fund,"  
40 created pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1), the  
41 same shall mean and refer to the "Shore and Recreation Resource  
42 Protection Fund."]<sup>1</sup>

43

44 <sup>1</sup>[3. Section 1 of P.L.1997, c.384 (C.13:19-16.2) is amended to  
45 read as follows:

46 1. a. The Commissioner of Environmental Protection shall  
47 develop a priority system for ranking shore protection projects and

1 establish appropriate criteria therefor. Commencing with the fiscal  
2 year beginning on July 1, 1999, and for each fiscal year thereafter,  
3 the commissioner shall use the priority system to establish a shore  
4 protection project priority list for projects designated to receive  
5 funding pursuant to an appropriation made from the Shore and  
6 Recreation Resource Protection Fund, hereinafter referred to as the  
7 "fund," established pursuant to section 1 of P.L.1992, c.148  
8 (C.13:19-16.1). The list shall include a description of each project  
9 and its purpose, impact, estimated cost, and estimated construction  
10 schedule, and an explanation of the manner in which priorities were  
11 established. A description of the priority system and the project  
12 priority list for the ensuing fiscal year shall be submitted to the  
13 Legislature on or before January 31 of each year on a day when  
14 both Houses are meeting. The President of the Senate and the  
15 Speaker of the General Assembly shall cause the date of submission  
16 to be entered upon the Senate Journal and the Minutes of the  
17 General Assembly, respectively, and shall cause the project priority  
18 list to be introduced in each House in the form of legislative bills  
19 authorizing the expenditure of monies appropriated pursuant to  
20 section 1 of P.L.1992, c.148 (C.13:19-16.1) for projects on the list,  
21 and shall refer these bills to the Senate Economic Growth [,  
22 Agriculture and Tourism] Committee, the Senate Budget and  
23 Appropriations Committee, the General Assembly Environment [,  
24 Science and Technology] and Solid Waste Committee, and the  
25 General Assembly Appropriations Committee, or their successors,  
26 for their respective consideration.

27 b. Within 60 days of the referral thereof, the Senate Economic  
28 Growth [, Agriculture and Tourism] Committee, the Senate Budget  
29 and Appropriations Committee, the General Assembly Environment  
30 [, Science and Technology] and Solid Waste Committee, and the  
31 General Assembly Appropriations Committee, or their successors,  
32 shall, either individually or jointly, consider the legislation  
33 containing the project priority list, and shall report the legislation,  
34 together with any modifications, out of committee for consideration  
35 by each House of the Legislature. On or before June 1 of each year,  
36 the Legislature shall approve the legislation containing the project  
37 priority list, including any amendatory or supplementary provisions  
38 thereto. The legislation approved by the Legislature shall authorize  
39 the expenditure of monies appropriated to the Department of  
40 Environmental Protection from the Shore and Recreation Resource  
41 Protection Fund for the specific projects, including the estimated  
42 amounts therefor, on the list.

43 c. No monies appropriated from the Shore and Recreation  
44 Resource Protection Fund to the Department of Environmental  
45 Protection shall be expended for any shore protection project unless  
46 the estimated expenditure is authorized pursuant to legislation  
47 approved in accordance with the provisions of subsection b. of this

1 section or unless the shore protection project is of an emergency  
2 nature pursuant to the provisions of subsection b. of section 1 of  
3 P.L.1992, c.148 (C.13:19-16.1). The department is authorized to  
4 transfer monies between authorized projects to compensate for the  
5 differences between the estimated and actual costs of a project. If  
6 the Legislature fails to approve legislation within the time frame  
7 specified pursuant to subsection b. of this section, the expenditure  
8 of monies appropriated from the Shore and Recreation Resource  
9 Protection Fund shall be authorized pursuant to the provisions of  
10 the annual appropriations act.

11 (cf: P.L.1997, c.384, s.1)]<sup>1</sup>

12

13 <sup>1</sup>[4. Section 4 of P.L.1968, c.49 (C.46:15-8) is amended to read  
14 as follows:

15 4. a. The proceeds of the fees collected by the county recording  
16 officer, as authorized by P.L.1968, c.49 (C.46:15-5 et seq.), shall be  
17 accounted for and remitted to the county treasurer.

18 b. (1) The county portion of the basic fee collected pursuant to  
19 paragraph (1) of subsection a. of section 3 of P.L.1968, c.49  
20 (C.46:15-7) shall be retained by the county treasurer for the use of  
21 the county.

22 (2) The State portion of the basic fee, the additional fee, and the  
23 general purpose fee shall be paid to the State Treasurer for the use  
24 of the State. Payments shall be made to the State Treasurer on the  
25 tenth day of each month following the month of collection.

26 c. (1) Amounts, not in excess of \$25,000,000, paid during the  
27 State fiscal year to the State Treasurer from the payment of the  
28 State portion of the basic fee shall be credited to the "Shore and  
29 Recreation Resource Protection Fund" created pursuant to section 1  
30 of P.L.1992, c.148 (C.13:19-16.1), in the manner established under  
31 that section.

32 (2) In addition to the amounts credited to the "Shore and  
33 Recreation Resource Protection Fund" pursuant to paragraph (1) of  
34 this subsection, amounts equal to \$12,000,000 in each of the first 10  
35 years after the date of enactment of the "Highlands Water  
36 Protection and Planning Act," P.L.2004, c.120 (C.13:20-1 et al.)  
37 and to \$5,000,000 in each year thereafter, paid during the State  
38 fiscal year to the State Treasurer from the payment of fees collected  
39 by the county recording officer other than the additional fee of  
40 \$0.75 for each \$500.00 of consideration or fractional part thereof  
41 recited in the deed in excess of \$150,000.00 shall be credited to the  
42 "Highlands Protection Fund" created pursuant to section 21 of  
43 P.L.2004, c.120 (C.13:20-19), in the manner established under that  
44 section. No monies shall be credited to the "Highlands Protection  
45 Fund" pursuant to this paragraph until and unless the full amount of  
46 \$25,000,000 has first been credited to the "Shore and Recreation  
47 Resource Protection Fund" pursuant to paragraph (1) of this  
48 subsection.

1 d. All amounts paid to the State Treasurer from the payment of  
2 the additional fee shall be credited to the Neighborhood  
3 Preservation Nonlapsing Revolving Fund established pursuant to  
4 P.L.1985, c.222 (C.52:27D-301 et al.), in the manner established  
5 under section 20 thereof (C.52:27D-320).

6 (cf: P.L.2004, c.120, s.61)]<sup>1</sup>

7

8 <sup>1</sup>[5. Section 2 of P.L.1992, c.148 (C.46:15-10.2) is amended to  
9 read as follows:

10 2. a. The annual appropriations act for each State fiscal year  
11 shall, without other conditions, limitations or restrictions on the  
12 following:

13 (1) credit amounts paid to the State Treasurer, if any, in  
14 payment of fees collected pursuant to paragraph (1) or paragraph  
15 (2) of subsection a. of section 3 of P.L.1968, c.49 (C.46:15-7) to the  
16 "Shore and Recreation Resource Protection Fund" created pursuant  
17 to section 1 of P.L.1992, c.148 (C.13:19-16.1), the Neighborhood  
18 Preservation Nonlapsing Revolving Fund established pursuant to  
19 section 20 of P.L.1985, c.222 (C.52:27D-320), and the "Highlands  
20 Protection Fund" created pursuant to section 21 of P.L.2004, c.120  
21 (C.13:20-19), pursuant to the requirements of section 4 of P.L.1968,  
22 c.49 (C.46:15-8);

23 (2) appropriate the balance of the "Shore and Recreation  
24 Resource Protection Fund" created pursuant to section 1 of  
25 P.L.1992, c.148 (C.13:19-16.1), for the purposes of that fund;

26 (3) appropriate the balance of the Neighborhood Preservation  
27 Nonlapsing Revolving Fund established pursuant to section 20 of  
28 P.L.1985, c.222 (C.52:27D-320), for the purposes of that fund; and

29 (4) appropriate the balance of the "Highlands Protection Fund"  
30 created pursuant to section 21 of P.L.2004, c.120 (C.13:20-19), for  
31 the purposes of that fund.

32 b. If the requirements of subsection a. of this section are not  
33 met on the effective date of an annual appropriations act for the  
34 State fiscal year, or if an amendment or supplement to an annual  
35 appropriations act for the State fiscal year should violate any of the  
36 requirements of subsection a. of this section, the Director of the  
37 Division of Budget and Accounting in the Department of the  
38 Treasury shall, not later than five days after the enactment of the  
39 annual appropriations act, or an amendment or supplement thereto,  
40 that violates any of the requirements of subsection a. of this section,  
41 certify to the Director of the Division of Taxation that the  
42 requirements of subsection a. of this section have not been met.

43 (cf: P.L.2004, c.120, s.62)]<sup>1</sup>

44

45 <sup>1</sup>[6. Section 38 of P.L.1997, c.278 (C.58:10B-30) is amended to  
46 read as follows:

47 38. a. There is created in the Department of the Treasury a  
48 special fund to be known as the Brownfield Site Reimbursement

1 Fund. Moneys in the fund shall be dedicated to the purpose of  
2 reimbursing a developer who enters into a redevelopment  
3 agreement pursuant to section 35 of P.L.1997, c.278 (C.58:10B-27)  
4 and is certified for reimbursement pursuant to section 36 of  
5 P.L.1997, c.278 (C.58:10B-28). A special account within the fund  
6 shall be created for each developer upon approval of a certification  
7 pursuant to section 36 of P.L.1997, c.278 (C.58:10B-28). The  
8 Legislature shall annually appropriate the entire balance of the fund  
9 for the purposes of reimbursement of remediation costs as provided  
10 in section 39 of P.L.1997, c.278 (C.58:10B-31).

11 b. The fund shall be credited with an amount from the General  
12 Fund, determined sufficient by the Chief Executive Officer and  
13 Secretary of the Commerce and Economic Growth Commission, to  
14 provide the negotiated reimbursement to the developer. Moneys  
15 credited to the fund shall be an amount that equals the percent of  
16 the remediation costs expected to be reimbursed pursuant to the  
17 redevelopment agreement. In estimating the amount of new State  
18 taxes that is anticipated to be derived from a redevelopment project  
19 pursuant to section 35 of P.L.1997, c.278 (C.58:10B-27), the Chief  
20 Executive Officer and Secretary of the Commerce and Economic  
21 Growth Commission and the State Treasurer shall consider taxes  
22 from the following: the Corporation Business Tax Act (1945),  
23 P.L.1945, c.162 (C.54:10A-1 et seq.), "The Savings Institution Tax  
24 Act," P.L.1973, c.31 (C.54:10D-1 et seq.), the tax imposed on  
25 marine insurance companies pursuant to R.S.54:16-1 et seq., the tax  
26 imposed on fire insurance companies pursuant to R.S.54:17-4 et al.,  
27 the tax imposed on insurers generally, pursuant to P.L.1945, c.132  
28 (C.54:18A-1 et seq.), the public utility franchise tax, public utilities  
29 gross receipts tax and public utility excise tax imposed pursuant to  
30 P.L.1940, c.4, and P.L.1940, c.5 (C.54:30A-16 et seq. and  
31 C.54:30A-49 et seq.), the tax derived from net profits from  
32 business, a distributive share of partnership income, or a prorata  
33 share of S corporation income under the "New Jersey Gross Income  
34 Tax Act," N.J.S.54A:1-1 et seq., the tax derived from a business at  
35 the site of a redevelopment project that is required to collect the tax  
36 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-  
37 1 et seq.), the tax imposed pursuant to P.L.1966, c.30 (C.54:32B-1  
38 et seq.) from the purchase of materials used for the remediation, the  
39 construction of new structures, or the construction of new  
40 residences at the site of a redevelopment project, or the portion of  
41 the fee imposed pursuant to section 3 of P.L.1968, c.49 (C.46:15-7)  
42 derived from the sale of real property at the site of the  
43 redevelopment project and paid to the State Treasurer for use by the  
44 State, that is not credited to the "Shore and Recreation Resource  
45 Protection Fund" or the "Neighborhood Preservation Nonlapsing  
46 Revolving Fund" pursuant to section 4 of P.L.1968, c.49 (C.46:15-  
47 8). For the purpose of computing the sales and use tax on the  
48 purchase of materials used for the remediation, the construction of

1 new structures, or the construction of new residences at the site of a  
2 redevelopment project, it shall be presumed by the Director of the  
3 Division of Taxation, in lieu of an exact accounting from the  
4 developer, suppliers, contractors, subcontractors and other parties  
5 connected with the project, that the tax equals one percent of the  
6 developer's contract price for remediation and improvements or  
7 such other percentage, not to exceed three percent, that may be  
8 agreed to by the director upon the presentation of clear and  
9 convincing evidence that the tax on materials is greater than one  
10 percent of the contract price for the remediation and improvements.  
11 (cf: P.L.2003, c.224, s.9)]<sup>1</sup>

12

13 <sup>1</sup>2. Section 3 of P.L.1968, c.49 (C.46:15-7) is amended to read  
14 as follows:

15 3. a. In addition to the recording fees imposed by section 2 of  
16 P.L.1965, c.123 (C.22A:4-4.1), a grantor shall pay to the county  
17 recording officer at the time the deed is offered for recording the  
18 following fees:

19 (1) A basic fee, which basic fee shall consist of (a) a State  
20 portion at the rate of \$1.25 for each \$500.00 of consideration or  
21 fractional part thereof recited in the deed, and (b) a county portion  
22 at the rate of \$0.50 for each \$500.00 of consideration or fractional  
23 part thereof so recited; provided however, that on and after the tenth  
24 day following a certification by the Director of the Division of  
25 Budget and Accounting in the Department of the Treasury pursuant  
26 to subsection b. of section 2 of P.L.1992, c.148 (C.46:15-10.2) or  
27 subsubparagraph (ii) of subparagraph (b) of paragraph (2) of  
28 subsection b. of section 1 of P.L.1992, c.148 (C.13:19-16.1) , the  
29 State portion of the basic fee shall not be imposed;

30 (2) An additional fee at the rate of \$0.75 for each \$500.00 of  
31 consideration or fractional part thereof recited in the deed in excess  
32 of \$150,000.00; provided however, that on and after the tenth day  
33 following a certification by the Director of the Division of Budget  
34 and Accounting in the Department of the Treasury pursuant to  
35 subsection b. of section 2 of P.L.1992, c.148 (C.46:15-10.2) or  
36 subsubparagraph (ii) of subparagraph (b) of paragraph (2) of  
37 subsection b. of section 1 of P.L.1992, c.148 (C.13:19-16.1) , the  
38 additional fee shall not be imposed; and

39 (3) A general purpose fee at the rate of:

40 (a) \$0.90 for each \$500.00 of consideration or fractional part  
41 thereof recited in the deed that is not in excess of \$550,000.00,  
42 except that in the case of a conveyance or transfer of property for  
43 which the total consideration recited in the deed does not exceed  
44 \$350,000.00, no general purpose fee shall be imposed;

45 (b) \$1.40 for each \$500.00 of consideration or fractional part  
46 thereof in excess of \$550,000.00 but not in excess of \$850,000.00  
47 recited in the deed;



1 (c) \$1.90 for each \$500.00 of consideration or fractional part  
2 thereof in excess of \$850,000.00 but not in excess of \$1,000,000.00  
3 recited in the deed; and

4 (d) \$2.15 for each \$500.00 of consideration or fractional part  
5 thereof in excess of \$1,000,000.00 recited in the deed.

6 b. A deed subject to any of the fees established by this section,  
7 which is in fact recorded, shall be deemed to have been entitled to  
8 recording, notwithstanding that the amount of the consideration  
9 shall have been incorrectly stated or that the correct amount of such  
10 fee shall not have been paid. No such defect shall in any way affect  
11 or impair the validity of the title conveyed or render the same  
12 unmarketable; but the person or persons required to pay said  
13 additional fee at the time of recording shall be and remain liable to  
14 the county recording officer for the payment of the proper amount  
15 thereof.<sup>1</sup>

16 (cf: P.L.2004, c.66, s.3)

17

18 <sup>1</sup>3. Section 4 of P.L.1975, c.176 (C.46:15-10.1) is amended to  
19 read as follows:

20 4. a. The following transfers of title to real property shall be  
21 exempt from payment of the State portion of the basic fee:

22 (1) The sale of any one- or two-family residential premises  
23 which are owned and occupied by a senior citizen, blind person or  
24 disabled person who is the seller in such transaction; provided,  
25 however, that except in the instance of a husband and wife no  
26 exemption shall be allowed if the property being sold is jointly  
27 owned and one or more of the owners is not a senior citizen, blind  
28 person or disabled person.

29 (2) The sale of low and moderate income housing.

30 b. Transfers of title to real property upon which there is new  
31 construction shall be exempt from payment, with respect to all  
32 consideration therefor up to \$150,000.00, of 80% of the State  
33 portion of the basic fee.

34 c. (1) The director shall promulgate rules, regulations and  
35 forms of certification or otherwise necessary to carry out the  
36 provisions of this section.

37 (2) No transfer shall be eligible for more than one exemption  
38 under this section.

39 d. The balance of the State portion of the basic fee and the  
40 additional fee collected on transfers subject to exemption under  
41 subsection b. of this section shall be remitted to the State Treasurer  
42 and shall be credited to the Neighborhood Preservation Nonlapsing  
43 Revolving Fund established pursuant to P.L.1985, c.222 (C.52:27D-  
44 301 et al.), to be spent in the manner established under section 20  
45 thereof (C.52:27D-320).

46 e. Subsections a. through d. of this section shall be without  
47 effect on and after the tenth day following a certification by the  
48 Director of the Division of Budget and Accounting in the

1 Department of the Treasury pursuant to subsection b. of section 2 of  
2 P.L.1992, c.148 (C.46:15-10.2) or subsubparagraph (ii) of  
3 subparagraph (b) of paragraph (2) of subsection b. of section 1 of  
4 P.L.1992, c.148 (C.13:19-16.1) .<sup>1</sup>

5 (cf: P.L.2004, c.66, s.6)

6  
7 **[7.] 4.<sup>1</sup>** (New section) a. The Department of Environmental  
8 Protection shall conduct, within six months after the effective date  
9 of this act, a study of the facilities, services, resources, activities,  
10 and amenities provided, or which reasonably could be provided, at  
11 each State park or forest as defined in subsection e. of P.L.1983,  
12 c.324 (C.13:1L-3). As part of the study, the department shall:

13 (1) examine opportunities for increasing revenue realized from  
14 State parks and forests through (a) concessions, (b) marketing of  
15 products with State park or forest, New Jersey history, or other New  
16 Jerseyana or Garden State themes, (c) marketing of other products  
17 such as camping and outdoor recreational supplies and equipment,  
18 and (d) leases and rentals for events and other one-time or short-  
19 term uses;

20 (2) conduct a re-appraisal of the rents and fees charged for all  
21 residences and other buildings and structures, and for utility  
22 easements and right-of-ways, located on State park or forest lands  
23 to ensure they reflect current fair market values and will continue to  
24 do so;

25 (3) research fee structure strategies such as per person pricing  
26 compared to per vehicle charges and non-uniform pricing based  
27 upon intensity or frequency of use, location of the State park or  
28 forest, season, time of day, age of the visitor, and other similar  
29 factors;

30 (4) determine whether the fees it charges or will charge at State  
31 parks and forests are competitively priced when compared to  
32 similar facilities, services, resources, activities, and amenities  
33 offered in the private sector or by other states; and

34 (5) determine whether the fees it charges or will charge are  
35 causing or will cause any significant decrease in visitation to State  
36 parks and forests or a decrease in the use of certain facilities,  
37 services, resources, or amenities or in participation in certain  
38 activities.

39 b. The department, within 60 days after completion of the study  
40 required pursuant to subsection a. of this section, shall submit,  
41 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the  
42 Legislature and to the State Treasurer a report of its findings and  
43 conclusions from the study.

44 c. Based upon the results of the study, the department shall, by  
45 July 1, 2009, (1) modify the fees it charges for facilities, services,  
46 resources, activities, and amenities at State parks and forests to  
47 ensure as much as practicable that the fee structure established  
48 properly reflects the availability of those facilities, services,

1 resources, activities, and amenities and that the fee revenues  
2 realized therefrom are making an appropriate and reasonable  
3 contribution toward defraying the cost of operating and maintaining  
4 State parks and forests, and (2) implement other measures deemed  
5 in the study to be appropriate and beneficial with respect to  
6 increasing revenues realized from State parks and forests.

7

8 **'[8.] 5.'** This act shall take effect July 1, 2008.