
Legislative Update

By Rob Nixon, Princeton Public Affairs Group, Inc.

While the current economic downturn has led to months of frustration for the recreational boating industry, the last few months have been extraordinarily successful for the MTA/NJ's legislative agenda in Trenton. In fact, since April of this year, the Association has succeeded in developing and moving an aggressive legislative plan. The results of this are positives for the industry that should lead to more opportunities and less government intervention.

As you are aware, the most pressing problem, short of the economic crunch, facing recreational boating in the State was the DEP's attempt to mandate public access in a manner so draconian that their rules would have at the same time cost marinas significant resources and led to a loss of revenue that would do little to encourage the public's use of the water. Once it became clear that the DEP would not change its "one size fits all" access rules, the MTA/NJ developed a relief plan that asked the Legislature for assistance. On September 10, 2008 that assistance became law when Governor Corzine signed the MTA/NJ drafted Senate Bill 1553 into law.

Senate Bill 1553 suspends the DEP public access rules so that a measured and reasonable study could be done on the appropriate ways to provide access to the waters of the State. The legislation creates a "Public Access and Marina Safety Task Force" made up of public and private sector members who while the access rules are suspended will study public access and make recommendations for a more fair implementation of a public access standard. The Task Force study is to be completed by December 31, 2010. The Association is currently preparing for the Task Force and will be making recommendations to the Governor for appointments to it.

The passage of the legislation is significant for a few reasons. Not only did it become law in only 6 months from its introduction but it was actually passed by Senate and Assembly in a fast paced 14 day period in June. This is significant timing on both counts in considering the long period most bills sit if they even move in the Legislature. In addition, the grassroots efforts of the Association were significant and the participation of MTA/NJ members and friends in coming to Trenton and making calls on the bill proves the power that the organization has in lobbying.

Of course, this was not the only MTA/NJ priority bill to become law recently. On August 5, 2008 the Governor signed Senate Bill 1390 into law. The bill revises the abandoned vessel law to include sunken vessels, to make it easier to remove a sunken or abandoned vessel from a municipal waterway or land, and it increases the penalties for violation of the current law concerning the abandonment of a vessel to or upon public land or waters of the State, including a municipal waterway or municipally owned land. MTA/NJ testified in the Senate and Assembly on the bill and had worked closely with bill sponsors to move it.

Finally, the tragic boating accident this summer that killed a north Jersey man has reignited the debate over whether a speed limit is necessary on the water, especially at night. While no legislation has been introduced yet, Senator Sarlo (D-36) had suggested in the media that he would introduce a bill to mandate a speed limit at night. The MTA/NJ has met with the Senator to discuss the proposal and he has committed to Melissa Danko to work with the Association before he proposes any bills on the issue.

The Legislature will meet from now until December and will break for a short recess before returning to begin the 2009 Budget process in January.