
Legislative Update

By Rob Nixon, Statehouse Strategies

The first half of the current legislative session is coming to a close but the impact of this session so far on State and local government, on business and on property tax payers can't be overstated. Political battle lines have never been more pronounced and the looming 2011 legislative elections are certain to weigh heavily on much of the action in Trenton for the next year. However, the MTA/NJ has been extraordinarily active below the surface of all this change and debate in Trenton this year.

The primary activity in Trenton for nearly all of this year has been the public relations and policy struggle between Governor Christie and the Democratic majority in the Legislature. Whether it's a debate over the budget, capping property taxes, creating a "tool kit" to change local government practices or simply the speed at which government works in the State, the Governor has increased not only the volume but the pressure on the Legislature to do things his way. While relations between any Governor and Legislature are at times tense, the current relationship will only become more strained as the State moves closer to Legislative elections next November.

Perhaps the most significant policy move impacting the Marine Trades was the announcement by the DEP that it would be issuing new regulations to more practically deal with public access issues. While new regulations have yet to be adopted, the draft language dealing with marinas is a great improvement from what was adopted in the last Administration. The timing for consideration of new regulations is critical for the Association as the legislatively mandated moratorium on public access mandates for marinas expires at the end of this year. As a result, the Association is working with sponsors to draft legislation to extend the moratorium until the new regulations are adopted sometime in 2011. We are therefore preparing for movement on the new regulation while simultaneously advancing legislation to protect marina operators from any gray areas while the old regulations continue.

Also, following the dramatic cut to the I BOAT NJ program in the State DOT Budget, the Association has begun developing plans for protecting the program in the future. Since the I BOAT money is not constitutionally protected from being raided and the DOT is pressured to put its resources into road and bridge programs, we are reviewing options for how to preserve and enhance not only I BOAT but recreational boating in general in the State. We have directed our comments to Lieutenant Governor Guadagno who was a champion of overturning public access regulations and who Chairs the Red Tape Review Commission.

There has also been a significant number of bill introductions in the Senate and Assembly this year. To date, we are tracking 79 bills that range from the serious (amending the public access law) to the odd (banning texting while boating). In addition to our own legislative initiative on public access, we are also working on correcting inefficiencies in the abandoned vessel statute that have caused unnecessary delays in the implementation of the law.

The Legislature will have an unusually busy month of December and will return quickly in January.