

The annual appropriation act of 1950 (Chapter 236), to be found in the session laws of that year beginning at page 598, both by its title and section 1 thereof, makes it clear that the appropriations therein are only for the fiscal year ending June 30, 1951, and by the provisions of section 3 of that act no money is to be drawn from the treasury except for objects as in the act specified and for other purposes specially excepted in said section.

As I have indicated, the appropriation in chapter 236 covered a fixed definite period, that is the fiscal year of the State ending on the thirtieth day of June, 1951. The deficiencies existing for relief subsidies in the previous fiscal year must await further action of the Legislature by way of an additional appropriation as was done in Chapter 62 of the Laws of 1950 making good the deficiencies above referred to of \$2,202,000.

Yours very truly,

THEODORE D. PARSONS,  
*Attorney General.*

By: THEODORE BACKES,  
*Deputy Attorney General.*

TB:B

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OCTOBER 31, 1950.

HON. CHARLES R. ERDMAN, JR., *Commissioner,*  
*Dept. of Conservation and Economic Development,*  
State House, Trenton, N. J.

FORMAL OPINION—1950. No. 75.

DEAR COMMISSIONER ERDMAN:

Your letter of October 20th is at hand in which you request an opinion as to whether or not persons permitted to dredge lands under the waters of this State require additional permits to maintain that dredging.

The law on this subject is as follows:

"Submission to board of plans for waterfront development. All plans for the development of any waterfront upon any navigable water or stream of this State or bounding thereon, which is contemplated by any person or municipality, in the nature of individual improvement or development or as a part of a general plan which involves the construction or alteration of a dock, wharf, plan, bulkhead, bridge, pipe line, cable, or any other similar or dissimilar waterfront development shall be first submitted to the board. No such development or improvement shall be commenced or executed without the approval of the board first had and received, or as hereinafter in this chapter provided." (R. S. 12:5-3.)

Under 12:5-4 upon the presentation of plans for waterfront development, the board shall consider the same and hold meetings and give directions for such changes or alterations in the plans as it deems necessary.

## OPINIONS

Under 12:5-6 any development or improvement as outlined in 12:5-3 or included in a proper interpretation thereof, which is commenced or executed without first obtaining approval as provided in 12:5-4 and 12:5-5 shall be deemed to be a pre-empture and a public nuisance, and shall be abated in the name of the State in such action as shall be appropriate.

It is my opinion that no person has the right to dredge in any of the waters of this State for the development of any waterfront upon any navigable water or stream of this State or bounding thereon without first obtaining a permit from your board.

Yours very truly,

THEODORE D. PARSONS,  
*Attorney General.*

By: ROBERT PEACOCK,  
*Deputy Attorney General.*

RP:N

NOVEMBER 14, 1950.

HON. WILLIAM J. DEARDEN, *Deputy Director,*  
*Division of Motor Vehicles,*  
State House,  
Trenton, New Jersey.

FORMAL OPINION—1950. No. 76.

DEAR MR. DEARDEN :

Your memorandum of November 8th requested an opinion as to whether you would be violating the spirit or intent of R. S. 39:4-131 if your furnish the following information :

1. That an accident has been reported.
2. The name and address of the person or persons alleged to have been in the accident.
3. The license number of the person or persons alleged to have been in the accident.
4. The date and location of the accident.

R. S. 39:4-131 generally provides for the reporting of accidents by police departments and individuals upon forms to be furnished by the division of motor vehicles. This section of the revised statutes provides that the report shall be made without prejudice, shall be for the information of the division, and shall not be open to public inspection. I feel that this statement is perfectly clear and provides that these reports and the information contained thereon are for the use of the division only and neither the reports nor the information thereon are to be given to any other person or agency.

Yours very truly,

THEODORE D. PARSONS,  
*Attorney General.*

By: JOHN J. KITCHEN,  
*Deputy Attorney General.*

JJK:N