

CHAPTER 314

AN ACT concerning application fees for certain construction permit applications and amending P.L.1975, c.232.

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

1. Section 5 of P.L.1975, c.232 (C.13:1D-33) is amended to read as follows:

C.13:1D-33 Rules, regulations; "Environmental Services Fund;" fees.

5. a. The commissioner shall adopt, amend and repeal rules and regulations to implement the provisions of this act. The commissioner shall in accordance with a fee schedule adopted as a rule or regulation establish and charge reasonable fees for the filing and review of any application for a construction permit. The fees imposed hereunder, except as may otherwise be provided by law, shall be deposited in a fund to be known as the "Environmental Services Fund," kept separate and apart from all other State receipts and appropriated only as provided herein. There shall be appropriated annually to the department revenue from such fund sufficient to defray in full the costs incurred in the processing and review of applications for construction permits.

b. In establishing the fee schedule required pursuant to subsection a. of this section, the commissioner shall not establish a fee in excess of \$30,000 for the filing and review of any application for a construction permit pursuant to R.S.12:5-3 or the "Coastal Area Facility Review Act," P.L.1973, c.185 (C.13:19-1 et seq.), except that a fee in excess of \$30,000 may be charged if the department documents actual costs in excess of \$30,000 for the review and processing of an application and the estimated cost of determining compliance with the conditions of the permit.

2. This act shall take effect immediately and shall apply to all permit applications received by the department after the effective date of this act.

Approved January 3, 2002.