



2008-09 Public Policy Platform

New Jersey Recreation and Park Association

**13 April Lane
Somerset, NJ 08873-5301
Tel. 732-568-1270**

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THE NEW JERSEY RECREATION AND PARK ASSOCIATION is a not-for-profit organization dedicated to promoting the parks and recreation industry, enhancing the professional development of its members, and advocating sound public policy and stewardship related to parks, recreation, resource management, and leisure services.

PARKS, CONSERVATION & OPEN SPACE

NJRPA strongly supports a balanced approach to conserve and protect parks, open space and recreation areas. We support the protection of an additional million acres of preserved open space, watershed lands, and farmland and concur with the actions of policy makers to accelerate our progress to achieve this goal. Further, we enthusiastically endorse the building of new recreational infrastructures to meet expanding needs and to re-build critical parks and historic sites in our urban centers. We believe that it is imperative that the state improves its management resources and stewardship funding in support of our state parks, forests, and natural resources to create one of the finest park and open space systems in the country.

In order to keep these important objectives moving forward, NJRPA will:

1. Support legislation that will seek voter approval to extend the **Garden State Preservation Trust Fund** for the acquisition and conservation of parkland and improvement of state, county, and municipal recreation facilities, parks, and historic sites for an additional ten years with the identification of a stable long-term funding source. Seek a state budget appropriation of a minimum of \$75 million annually to provide for the highest quality operations, maintenance, interpretive services, and stewardship activities in the state's parks, forests, wildlife areas, and other natural and historic properties linked to a stable source of annual funding
2. Seek continued passage of appropriations legislation for state, county, municipal, and non-profit Green Acres open space acquisition and improvement projects. NJRPA will also press for State initiated open space acquisition and park improvements/renovations in every region of New Jersey. The Association will continue to recommend that Green Acres provide balanced funding from the **Garden State Preservation Trust Fund** for open space acquisition, recreational development, and the park redevelopment needs of our urban communities.
3. Encourage the establishment of advance accounts for Green Acres funding of county and municipal open space acquisition projects and recreational improvement projects where the county or municipality has enacted an open space or park improvement trust under P.L. 1997, Chapter 24, and has approved an open space acquisition plan or a park improvement plan; and also provide for a designated share of Green Acres funding for county and regional land preservation programs under similar requirements.

4. Seek enabling legislation that will swiftly appropriate the parks, natural area, and historic site funding that has been constitutionally dedicated from the New Jersey Corporate Business Tax. The funding program should recognize the critical **\$250 million backlog of state agency needs** in the managing Divisions of the NJDEP Office of Natural and Historic Resources, and should dedicate a minimum of two-thirds of the available funding to State needs during the first ten years of the program.
5. Foster the continued establishment by municipalities and counties of **Open Space Trust Funds and Park Improvement Trust Funds** as per P.L.1997, Chapter 24. Continue monitoring the impact of the law to seek improvements in establishment procedures and to improve opportunities for transition from open space trusts to park improvement trusts.
6. Support legislation amending **New Jersey Land Use Law** so that assessments to developers (impact fees) could be permitted. Impact fees could be used to acquire public property and to add new public park and recreation facilities, as an element of the basic infrastructure needs of a community.
7. Support legislative measures that help facilitate the public use of privately owned lands in order to secure trails, conservation areas, and public recreation sites.
8. Support legislation to safeguard lands protected or purchased for public parks and open space from potential loss by adverse possession.
9. Seek to amend N.J.S.A. Title 40:12 to provide enabling language to help facilitate conservation easements and fee simple purchase of lands for recreation, conservation, and historic preservation purposes. The new language would provide an opportunity for installment purchase agreements by a county or a municipality.

LIABILITY AND IMMUNITY

Active sports, aquatics, and outdoor activities are increasingly popular components of public recreational service. With activity comes the potential for personal injury, both in organized programming and in general park exploration. Risk management is a critically important part of every park and recreation agency's job, however not all risk can be eliminated. Oft-times risk is the basis for the popularity of a physically demanding activity. NJRPA believes that recreational risk can be carefully managed with the expected outcome of injury prevention; however, recreation and park agencies must be able to provide facilities and services that present manageable risk to the participant without fear of lawsuit, service curtailment, or park closure.

In addition to providing training for professional risk management techniques, NJRPA will:

Support legislation to place reasonable limits on tort claims and control government exposure to injury and liability claims for injuries sustained on unimproved properties, developed recreation areas, parks, and preserves. Tort limitations should also be pursued for public recreational services and volunteer conservation programs.

Support legislation restricting frivolous liability claims against public park and recreation volunteers and officials.

RECREATION SERVICES AND STAFF

Properly maintained and professionally staffed public park facilities and recreational services act as a cornerstone in community efforts to improve physical fitness, prevent chronic disease, obesity, foster physical and mental rehabilitation, and enhance residential stability and livability. Teens, older adults, preschoolers, young families, individual with disabilities, active adults, and injured military personnel are all part of the new service continuum for the community recreation provider.

In order to provide proper support for this expanded continuum, it is important to:

1. Advocate for legislation that promotes regular physical activity, obesity prevention, and nature based programming.
2. Ensure that the **Division of State Parks and Forestry** within the Department of Environmental Protection has optimal financial and personnel resources to fulfill maintenance, law enforcement, and interpretative services.

Support legislation for proper education and training required for certification in parks and recreation administration.

Restore the **Safe Kids Playground Grant Program** that provides funding to rehabilitate public use playgrounds to bring them into compliance with the New Jersey Playground Safety Sub-Code.

5. Promote legislation and regulations that accurately depict, define and include the mandatory provision of
Therapeutic Recreation services. These services include public and private health care, nursing care, adult day care, mental health care, long-term care, veterans' care, care for returning injured service people, and developmental disabilities programs. Rehabilitation centers, public parks & recreation agencies and non-profit voluntary agencies also need to be included in the regulation and legislation process.
6. Support legislation that mandates appropriate professional credentials and clinical experience in Therapeutic Recreation Service to ensure the delivery of the highest quality clinical services to patients and clients in hospitals, rehabilitation centers, adult day care programs, and mental health institutions.

Seek annual state funding for the **New Jersey Council on Physical Fitness and Sports** and the **Department of Health and Senior Services** to provide funding for the promotion of physical activity programs and related programs for health and obesity prevention. Support the recommendations of the United States Center for Disease Control's efforts to insure that all Americans participate in daily physical activity to reduce the risk of disease, combat childhood and adult obesity, and curtail lost productivity.

In addition to the required recreation element, ensure that Municipal and County Master Plans include required elements for open space, parks, historic preservation, walking and biking trails, neighborhood pedestrian pathways, and "safe routes to schools".

Seek direct state aid to qualified urban aid municipalities for the specific provision of community recreation services, after school programs, youth delinquency abatement programs, and substance abuse prevention.

Support legislation that promotes access to public facilities, (parks, open space, schools) and cooperative services for community programming.

FEDERAL LEGISLATION & REGULATION

NJRPA works closely with the **National Recreation & Park Association** and affiliated state associations to promote the interests of parks, recreation, and natural resource preservation. We also partner with groups across the country to support legislation that will protect our land from unregulated development and environmental degradation.

As a partner in the legislative process, NJRPA will:

1. Support continuation of the federal **Transportation Enhancements Program** including eligibility of and funding for bicycle and pedestrian facilities, historic preservation projects, and the National Recreational Trails Fund.
2. Support federal programs that fund community based crime prevention programs and incorporate public recreation agency services in efforts to reduce substance abuse, violence, and juvenile delinquency.
3. Actively seek increased appropriations for the federal **Land and Water Conservation Fund** and the **Urban Park and Recreation Recovery Act** programs at a minimum of \$100 million annually for state and local open space protection/improvement and public recreational needs.
4. Support continued funding to implement the objectives of the 2005 Highlands Stewardship Act through the Land and Water Conservation Fund and the Forest Legacy Program for the acquisition of watersheds, forests, and critical lands in the **Highlands Region** of New Jersey, New York, Pennsylvania, and Connecticut.
5. Emphasize that federal Medicaid, Medicare, and health insurance reform legislation incorporates reimbursable coverage for therapeutic recreation services in the treatment of patients covered by public and private health insurance plans.
6. Support congressional appropriations for the **American Conservation Corps** and other national service programs that will address the need for improved stewardship of public lands and promote employment and education for disadvantaged youth.
7. Stress that the federal definition of “wetlands” is not revised to imperil the protection of existing wetlands currently protected under New Jersey’s wetland laws.
8. Support legislation to initiate and/or strengthen federal laws to further protect our environment from pollution and the encroachment of unregulated development and prevent global trade regulations from permitting environmental degradation. United States foreign policy should identify environmental protection as one of its highest global priorities.

9. Ensure that pass-through federal funding for youth at risk and substance abuse prevention programs is available to both not-for-profit service agencies and to county and municipal recreation agencies. Such funding should be targeted to the development of after-school recreation/education programs and to service programs for pre-teen and teen populations.

10. Support HR 4255 which seeks to expand Paralympics programs that support injured Veterans and active service men and women returning to their military bases and communities throughout the United States, provides training for program leaders, and creates ongoing participation in physical activity programs at the community level.

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NJRPA Office & Staff Contact

Theresa A. Dunwiddie, Executive Director

The New Jersey Recreation & Park Association

13 April Lane

Somerset, NJ 08873-5301

Telephone 732-568-1270

Facsimile 732-568-1274

E-mail: njrpa@cnjnet.com

Web: www.njrpa.org

Public Affairs Consultants

John & Enid Torok

The Torok Group/Straticom

1901 U.S. Highway 130 South

North Brunswick, NJ 08902

Telephone: 732-940-9484



