

ASSEMBLY, No. 1656

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman GARY R. CHIUSANO

District 24 (Sussex, Hunterdon and Morris)

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

Co-Sponsored by:

**Assemblymen DeCroce, Biondi, Merkt, Doherty, Assemblywoman Karrow
and Assemblyman Webber**

SYNOPSIS

Provides that no more than four of the seven public members appointed to the Highlands Water Protection and Planning Council may be of the same political party.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 2/26/2008)

A1656 CHIUSANO, MCHOSE

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1 AN ACT concerning the Highlands Water Protection and Planning
2 Council, and amending P.L.2004, c. (pending before the
3 Governor as Senate Bill No. 1 (1R)).
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. Section 5 of P.L.2004, c. (C.) (pending before the
9 Governor as Senate Bill No. 1 (1R)) is amended to read as follows:

10 5. a. The council shall consist of 15 voting members to be
11 appointed and qualified as follows:

12 (1) Eight residents of the counties of Bergen, Hunterdon, Morris,
13 Passaic, Somerset, Sussex, or Warren, appointed by the Governor,
14 with the advice and consent of the Senate, (a) no more than four of
15 whom shall be of the same political party, (b) of whom five shall be
16 municipal officials residing in the Highlands Region and holding
17 elective office at the time of appointment and three shall be county
18 officials holding elective office at the time of appointment, and (c)
19 among whom shall be (i) at least one resident from each of the
20 counties of Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex,
21 and Warren, and (ii) two residents from the county that has the
22 largest population residing in the Highlands Region, of whom no
23 more than one shall be of the same political party; and

24 (2) Seven residents of the State, no more than four of whom shall
25 be of the same political party, of whom five shall be appointed by
26 the Governor, with the advice and consent of the Senate, one shall
27 be appointed by the Governor upon the recommendation of the
28 President of the Senate, and one shall be appointed by the Governor
29 upon the recommendation of the Speaker of the General Assembly.
30 The members appointed pursuant to this paragraph shall have, to the
31 maximum extent practicable, expertise, knowledge, or experience in
32 water quality protection, natural resources protection,
33 environmental protection, agriculture, forestry, land use, or
34 economic development, and at least four of them shall be property
35 owners, business owners, or farmers in the Highlands Region or
36 residents or nonresidents of the Highlands Region who benefit from
37 or consume water from the Highlands Region.

38 b. (1) Council members shall serve for terms of five years;
39 provided, however, that of the members first appointed, five shall
40 serve a term of three years, five shall serve a term of four years, and
41 five shall serve a term of five years. The initial terms of the two
42 council members appointed by the Governor upon the
43 recommendation, respectively, of the President of the Senate and
44 the Speaker of the General Assembly shall be among those council

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 members assigned initial terms of five years pursuant to this
2 paragraph.

3 (2) Each member shall serve for the term of the appointment and
4 until a successor shall have been appointed and qualified. Any
5 vacancy shall be filled in the same manner as the original
6 appointment for the unexpired term only.

7 c. Any member of the council may be removed by the Governor,
8 for cause, after a public hearing.

9 d. Each member of the council, before entering upon the
10 member's duties, shall take and subscribe an oath to perform the
11 duties of the office faithfully, impartially, and justly to the best of
12 the member's ability, in addition to any oath that may be required
13 by R.S.41:1-1 et seq. A record of the oath shall be filed in the
14 Office of the Secretary of State.

15 e. The members of the council shall serve without compensation,
16 but the council may, within the limits of funds appropriated or
17 otherwise made available for such purposes, reimburse its members
18 for necessary expenses incurred in the discharge of their official
19 duties.

20 f. The powers of the council shall be vested in the members
21 thereof in office. A majority of the total authorized membership of
22 the council shall constitute a quorum and no action may be taken by
23 the council except upon the affirmative vote of a majority of the
24 total authorized membership of the council. No alternate or
25 designee of any council member shall exercise any power to vote on
26 any matter pending before the council.

27 g. The Governor shall designate one of the members of the
28 council as chairperson. The council shall appoint an executive
29 director, who shall be the chief administrative officer thereof. The
30 executive director shall serve at the pleasure of the council, and
31 shall be a person qualified by training and experience to perform
32 the duties of the office.

33 h. The members and staff of the council shall be subject to the
34 "New Jersey Conflicts of Interest Law," P.L.1971, c.182
35 (C.52:13D-12 et seq.).

36 i. The council shall be subject to the provisions of the "Open
37 Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).

38 j. A true copy of the minutes of every meeting of the council
39 shall be prepared and forthwith delivered to the Governor. No
40 action taken at a meeting by the council shall have force or effect
41 until 10 days, exclusive of Saturdays, Sundays, and public holidays,
42 after a copy of the minutes shall have been so delivered; provided,
43 however, that no action taken with respect to the adoption of the
44 regional master plan, or any portion or revision thereof, shall have
45 force or effect until 30 days, exclusive of Saturdays, Sundays, and
46 public holidays, after a copy of the minutes shall have been so
47 delivered. If, in the 10-day period, or 30-day period, as the case
48 may be, the Governor returns the copy of the minutes with a veto of

A1656 CHIUSANO, MCHOSE

4

1 any action taken by the council at the meeting, the action shall be
2 null and void and of no force and effect.

3 (cf: P.L.2004, c. , s.5)

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill provides that of the seven residents of the State
11 appointed to the Highlands Water Protection and Planning Council
12 by the Governor, not more than four of these members may be of
13 the same political party.