

ASSEMBLY, No. 171

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen GIBSON, BODINE and LeFevre

1 AN ACT concerning the Pinelands Commission, and amending
2 P.L.1979, c.111.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 5 of P.L.1979, c.111 (C.13:18A-5) is amended to read
8 as follows:

9 5. a. The commission shall consist of 15 members to be appointed
10 and qualified as follows:

11 (1) Seven residents of the State each of whom shall be a resident
12 of a municipality in the pinelands area, appointed by the Governor,
13 with the advice and consent of the Senate, except as otherwise
14 provided herein;

15 (2) Seven residents of the State, one resident each of the counties
16 of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester
17 and Ocean, appointed by the board of chosen freeholders of each such
18 county; provided, however, that in any county operating under the
19 county executive plan or county supervisor plan pursuant to the
20 provisions of the "Optional County Charter Law," P.L.1972, c.154
21 (C.40:41A-1 et seq.), such appointment shall be made by the county
22 executive or the county supervisor, as the case may be;

23 (3) One member to be appointed by the Secretary of the United
24 States Department of the Interior.

25 Any appointments made prior to the effective date of this act by the
26 Governor or by any of the respective counties to the planning entity
27 established pursuant to the Federal Act shall be considered
28 appointments made to the commission, and no such gubernatorial
29 appointment shall be subject to the advice and consent of the Senate.

30 b. Commission members shall serve for terms of 3 years; provided,
31 however, that of the first members appointed by the Governor, two
32 shall serve 3 year terms, two shall serve 2 year terms and three shall
33 serve 1 year terms; and provided further, however, that of the first

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

Matter underlined thus is new matter.

1 members appointed by the respective counties, such members
2 appointed from Atlantic and Burlington counties shall serve 1 year
3 terms, such members appointed from Camden and Cape May counties
4 shall serve 2 year terms, and such members appointed from
5 Cumberland, Gloucester and Ocean counties shall serve 3 year terms.
6 Each member shall serve for the term of his appointment and until his
7 successor shall have been appointed and qualified. Any vacancy shall
8 be filled in the same manner as the original appointment for the
9 unexpired term only. The membership of the entire commission shall
10 include residents of the pinelands area who represent economic
11 activities, such as agriculture, in the area, as well as residents of the
12 [State] pinelands area who represent conservation interests.

13 c. Any member of the commission may be removed by the
14 appointing authority, for cause, after a public hearing.

15 d. Each member of the commission, before entering upon his
16 duties, shall take and subscribe an oath to perform the duties of his
17 office faithfully, impartially, and justly to the best of his ability. A
18 record of such oaths shall be filed in the Office of the Secretary of
19 State.

20 e. The members of the commission shall serve without
21 compensation, but the commission may, within the limits or funds
22 appropriated or otherwise made available for such purposes, reimburse
23 its members for necessary expenses incurred in the discharge of their
24 official duties.

25 f. The powers of the commission shall be vested in the members
26 thereof in office, and a majority of the total authorized membership of
27 the commission shall be required to exercise its powers at any meeting
28 thereof. No alternate or designee of any commission member shall
29 exercise any power to vote on any matter pending before the
30 commission.

31 g. The Governor shall designate one of the members of the
32 commission as chairman. The commission shall appoint an executive
33 director, who shall be the chief administrative officer thereof. The
34 executive director shall serve at the pleasure of the commission, and
35 shall be a person qualified by training and experience to perform the
36 duties of his office.

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

1 be, the Governor returns such copy of the minutes with a veto of any
2 action taken by the commission at such meeting, such action shall be
3 null and void and of no force and effect.

4 i. Notwithstanding the provisions of this section to the contrary,
5 the members of the commission appointed by the Governor serving on
6 the effective date of P.L. , c. (C.)(now before the Legislature as
7 this bill) shall continue to serve until the expiration of their respective
8 terms, but a member of the commission appointed or reappointed by
9 the Governor after the effective date of P.L. , c. (C.)(now
10 before the Legislature as this bill) shall be a resident of a municipality
11 in the pinelands area.

12 (cf: P.L.1980, c.65, s.1)

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14 2. This act shall take effect immediately.

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19 Requires Governor's appointees to the Pinelands Commission to reside
20 in the pinelands area.