

R.S. 32:26-15 et seq

LEGISLATIVE FACT SHEET

ON

N.J.R.S.

~~15:22-15~~ 32:26-15 et seq (Sanction of Park - Creation)

(1966 Amendment)

LAWS OF 1966

CHAPTER 54

SENATE 47

~~ASSEMBLY~~

INTRODUCED Jan. 18, 1966

BY Hunt [and others]

STATEMENT

YES

NO

AMENDED DURING PASSAGE

YES

NO

HEARING

VETO

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SENATE No. 47

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1966

By Senators HUNT, FORSYTHE, SCHOLZ, LYNCH, KEEGAN, KIEFER
and WADDINGTON

Referred to Committee on Agriculture, Conservation and Economic Development

AN ACT creating a Division of Parks, ***[Forests]*** **Forestry** and Recreation in
the Department of Conservation and Economic Development, prescribing its
functions, powers and duties and amending and supplementing the "Depart-
ment of Conservation and Economic Development Act of 1948," approved
October 25, 1948 (P. L. 1948, c. 448), and P. L. 1950, chapter 338 and P. L.
1961, chapter 51 supplementary thereto.

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

1 1. Division of Parks, ***[Forests]*** **Forestry** and Recreation. Within the
2 Department of Conservation and Economic Development there shall be a Di-
3 vision of Parks, ***[Forests]*** **Forestry** and Recreation.

4 The division shall be under the immediate supervision of a director, who
5 shall be a person qualified by academic training and at least 7 years of respon-
6 sible professional experience in the management of public parks, forests, and
7 outdoor recreation facilities to direct the work of such division. The director
8 of such division shall be appointed by the Governor, with the advice and
9 consent of the Senate, and shall serve during the term of office of the Gover-
10 nor appointing him and until the director's successor is appointed and
11 qualified.

1 2. Powers and Duties. The division shall, under the direction and super-
2 vision of the commissioner:

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

- 3 a. Develop, improve, protect, manage and administer all State forests,
4 State parks, State recreation areas, State historic sites, and State natural
5 areas, excepting those regulated by interstate compact.
- 6 b. Protect all forests, brush lands and marshes from damage by fire,
7 insects and disease, and promote the use of good forest management
8 principles on all forest lands.
- 9 c. Administer the program for licensing of certified tree experts in
10 accordance with the "Tree Expert Act" (P. L. 1940, c. 100).
- 11 d. Administer the program of the Bureau of Recreation in accordance
12 with P. L. 1950, chapter 338, effective July 24, 1950.
- 13 e. Administer the program of the natural areas section in accordance
14 with P. L. 1961, chapter 51.
- 15 f. Manage the properties of the Morris Canal and Banking Company
16 in accordance with Revised Statutes 13:12-1 to 13:12-29.
- 17 g. Administer the historic sites program as in this act provided and in
18 accordance with Revised Statutes 28:1-4 to 28:1-11, 28:1-13, 28:1-17, 28:2-7
19 to 28:2-14, 28:2-17 and 28:2-18, P. L. 1945, chapter 22 and P. L. 1948, chap-
20 ter 448.
- 21 h. Provide liaison between the Federal and the lesser governmental levels
22 in matters pertaining to **forestry,** conservation, recreation, historic sites and
23 other appropriate fields.
- 24 i. Perform such other functions of the department as the commissioner
25 may prescribe.

1 3. Division Organization. The functions of the division shall be admin-
2 istered by the director, under the direction and supervision of the commis-
3 sioner, within such bureaus as may be necessary.

4 The commissioner shall have authority to create and organize such
5 bureaus as may be appropriate for the efficient and effective administration
6 of this act. The commissioner may designate a deputy director to assist the
7 director and to exercise the duties of the director in event of the absence or
8 disability of the director or of a vacancy in that office.

1 *4. *Advisory Council.* Within the division there shall be a Parks, Forestry
2 and Recreation Council consisting of 11 members. Each member of the coun-
3 cil shall be appointed by the Governor with the advice and consent of the Sen-
4 ate to serve for a term of 4 years from the date of his appointment, except
5 that of those first appointed, one shall be appointed for a term of 1 year,
6 2 for 2 years, 4 for 3 years, and 4 for 4 years. Members of the council shall
7 serve without compensation but may be reimbursed for necessary expenses in-
8 curred in the performance of their duties. The Governor shall designate one
9 of its members to serve as the chairman, and the council shall organize and
10 adopt procedures for the conduct of its business. The director or an employee
11 of the division designated by him shall serve as secretary of the council. The
12 chairman of the council shall be its presiding officer. Any vacancies in the
13 membership of said council occurring other than by expiration of term shall
14 be filled by the Governor, with the advice and consent of the Senate, for the
15 unexpired term only. Any member of the council may be removed from office
16 by the Governor, for cause, upon notice and opportunity to be heard.

1 5. *Functions of the Council.* The Parks, Forestry and Recreation Coun-
2 cil shall consult with and advise the commissioner and the director with re-
3 spect to the work of the division.

4 The council, in addition to other powers and duties vested in it, shall
5 recommend programs and policies for:

6 a. The acquisition, development, use, improvement and extension of State
7 parks, forests, historic sites and recreation areas.

8 b. The development of a broad recreational program on a State-wide and
9 local basis.

10 c. The protection, preservation, conservation and management of all
11 forest resources within the State.

12 d. A State-wide comprehensive plan for meeting the needs of the public
13 for outdoor recreation.

14 e. The formulation of plans to aid the county and municipal governments
15 in the acquisition and development of lands for public outdoor recreation.*

1 ***[4.]*** *6.* In addition to other functions, powers and duties vested in it
 2 by this or any other law, the Division of Parks, ***[Forests]*** *Forestry* and
 3 Recreation shall administer the State's program concerned with the inter-
 4 pretation of New Jersey's heritage through its historic sites and structures
 5 and perform the following functions and such other duties as the commissioner
 5A may direct:

- 6 a. Formulate comprehensive policies for the preservation, restoration and
 7 public presentation of all historic sites within the State.
- 8 b. Make the necessary research, prepare exhibits and furnish the serv-
 9 ices required for a proper and adequate interpretive program.
- 10 c. Prepare and disseminate informational materials to inform the public
 11 with respect to New Jersey's historic sites.
- 12 d. Consult and co-operate with groups and organizations in order to
 13 advance the purposes of the historic sites program.

1 ***[5.]*** *7.* Section 5 of P. L. 1948, chapter 448 is amended to read as
 1A follows:

2 5. There is hereby established in the Department of Conservation and
 3 Economic Development, a Division of Resource Development, a Division of
 4 Economic Development, a Division of Veterans' Services, a Division of Fish
 5 and Game, a Division of Shell Fisheries, a Division of Water Policy and
 6 Supply, **[and]** a Division of State and Regional Planning *and a Division of*
 6A *Parks, ***[Forests]*** *Forestry* and Recreation.*

7 The commissioner shall have authority to organize and maintain in his
 8 offices an administrative division and to assign to employment therein such
 9 secretarial, clerical and other assistants in the department as his office and
 10 the internal operations of the department shall require, *and the commissioner*
 11 *shall have authority to direct and co-ordinate the uses of all public lands*
 12 *under the jurisdiction of the department.*

1 ***[6.]*** *8.* Section 11 of P. L. 1948, chapter 448 is amended to read as
 1A follows:

2 11. The Resource Development Council shall, subject to the approval of
3 the commissioner:

4 a. Formulate comprehensive economic policies for the development and
5 use of the natural and economic resources of the State [], and for the pre-
6 servation and conservation and use of all State forests and State parks, except
7 those regulated by interstate compact, and of all historic sites within the
8 State; formulate plans for the improvement, use and extension of the State
9 forests, parks and historic sites under the jurisdiction of the department, and
10 for the establishment of a uniform forest and park policy by the State, so far
11 as the character and use of such forests and parks will permit; and formu-
12 late plans for the best methods to reforest cut-over, denuded, waste and other
13 lands and to prevent injury of forests, brush land and salt marshes by fire,
14 insects and disease].

15 b. Formulate comprehensive policies for the prevention and control of
16 beach erosion.

1 *~~[7.]~~* *9.* Section 1 of P. L. 1950, chapter 338 is amended to read as fol-
1A lows:

2 1. There shall be within the Division of [Planning and Development]
3 Parks, *~~[Forests]~~* *Forestry* and Recreation of the Department of Conserva-
4 tion and Economic Development, a Bureau of Recreation. [The Planning and
5 Development Council of the Division of Planning and Development shall, sub-
6 ject to the approval of the Commissioner of Conservation and Economic De-
7 velopment, formulate comprehensive policies for the development of a broad
8 recreational program through governmental and other agencies.] The Bureau
9 of Recreation shall, under the supervision of the Director of the Division of
10 [Planning and Development] Parks, *~~[Forests]~~* *Forestry* and Recreation
11 and subject to the approval of the Commissioner of Conservation and Eco-
12 nomic Development:

13 a. Promote and encourage the expansion and development of recrea-
14 tional programs on a State-wide and local basis.

15 b. Disseminate informational and related materials to governmental and
16 other agencies engaged in fostering recreational programs.

1 ***[8.]*** *10.* Section 3 of P. L. 1961, chapter 51 is amended to read as
1A follows:

2 3. There is hereby created in the department a natural areas section in
3 the **[Bureau of Parks and Recreation in the]** Division **[of Planning and**
4 **Development]** of Parks, ***[Forests]*** *Forestry* and Recreation, the function
5 of which shall be, under the direction of the commissioner, to administer and
6 enforce the provisions of this act and to perform such other duties as the
7 commissioner may direct or as may be provided by law. **[The administrative**
8 **head of the section shall be appointed by the commissioner pursuant to the**
9 **provisions of Title 11 of the Revised Statutes.]**

10 In addition to other functions, powers and duties vested in it by this and
11 any other law, the **[department]** *Division of Parks, ***[Forests]*** *Forestry**
12 *and Recreation* shall, through the natural areas section:

13 a. Make periodic State-wide surveys to determine the availability of land
14 that should be preserved as natural areas or as wild life preserves and
15 recommend an over-all program of acquisition.

16 b. Recommend the acquisition of specific lands or interests in lands
17 which are suitable for natural areas.

18 c. Maintain and operate lands being preserved as natural areas.

19 d. Prepare and disseminate literature and other materials to inform the
20 public with respect to New Jersey's natural area program.

21 e. Consult with and co-operate with conservation and naturalists groups
22 and organizations in the acquisition and maintenance of natural areas.

1 ***[9.]*** *11.* The transfer of any appropriation and other moneys avail-
2 able or of any employee, files, records, books, papers, tools, equipment and
3 other property required by the adoption of this act shall be done in the same
4 manner as is provided in P. L. 1948, chapter 448.

1 ***[10.]*** *12.* The provisions of any other act or acts inconsistent with the
2 provisions of this act are to the extent of such inconsistency hereby repealed.

1 ***[11.]*** *13.* This act shall take effect July 1, 1966.