

13:19-13

LEGISLATIVE HISTORY CHECKLIST

13:19-13; 26:2C-3.2

(Clean Air Council and Coastal Area  
Review Board--transfer from Labor to  
Commerce and Economic  
Development)

LAWS OF: 1985

CHAPTER: 430

BILL NO: A726

Sponsor(s): Bennett

Date Introduced: Pre-filed

Committee: Assembly: Agriculture and Environment

Senate: Energy and Environment

Amended during passage: No

Date of Passage: Assembly: May 17, 1985

Senate: December 12, 1985

Date of Approval: January 13, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 726

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Assemblyman BENNETT

AN ACT concerning the duties of the Commissioner of the Department of Commerce and Economic Development, amending P. L. 1973, c. 185 and P. L. 1967, c. 106.

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

1 1. Section 13 of P. L. 1973, c. 185 (C. 13:19-13) is amended to  
2 read as follows:

3 13. There is hereby created the Coastal Area Review Board, in  
4 but not of the Department of Environmental Protection, which  
5 shall consist of three voting members who shall be the Commis-  
6 sioner of Environmental Protection or his designated representa-  
7 tive, the Commissioner of **[Labor and Industry]** *Commerce and*  
8 *Economic Development* or his designated representative and the  
9 Commissioner of Community Affairs or his designated repre-  
10 sentative. No vote on a permit request shall be taken unless all  
11 voting members are present.

12 The Coastal Area Review Board shall have the power to hear  
13 appeals from decisions of the commissioner pursuant to section 12  
14 of P. L. 1973, c. 185 (13:19-12). The board may affirm or reverse  
15 the decision of the commissioner with respect to applicability of  
16 any provision of this act to a proposed use; it may modify any  
17 permit granted by the commissioner, grant a permit denied by him,  
18 deny a permit granted by him, or confirm his grant of a permit.  
19 The board shall review filed applications, including the environ-  
20 mental impact statement and all information presented at public  
21 hearings and any other information the commissioner makes

**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 printed in italics *thus* is new matter.

22 available to the board prior to the affirmation or reversal of a  
23 decision of the commissioner.

1 2. Section 3 of P. L. 1967, c. 106 (C. 26:2C-3.2) is amended to  
2 read as follows:

3 3. (a) There is hereby created in the State Department of  
4 Health a Clean Air Council, which shall consist of 17 members, 3  
5 of whom shall be the Commissioner of ~~["Labor and Industry"]~~  
6 *Commerce and Economic Development* or a member of the Depart-  
7 ment of ~~["Labor and Industry"]~~ *Commerce and Economic Develop-*  
8 *ment* designated by him, the Commissioner of Community Affairs  
9 or a member of the Department of Community Affairs designated  
10 by him, and the Secretary of Agriculture or a member of the  
11 Department of Agriculture designated by him, who shall serve  
12 ex officio, six citizens of the State, representing the general public  
13 at least one of whom shall be a medical doctor licensed to practice  
14 in this State and eight members to be appointed from persons to be  
15 nominated by the organizations hereinafter enumerated, by the  
16 Governor.

17 (b) Within 30 days following the effective date hereof and  
18 thereafter as required, at least one month prior to the expiration  
19 of the term of the member chosen from nominees of each organiza-  
20 tion hereafter enumerated, each such organization shall submit to  
21 the Governor a list of three recommended nominees for member-  
22 ship on the council from which list the Governor shall appoint one.

23 If any organization does not submit a list of recommended  
24 nominees at any time required by this act, the Governor may  
25 appoint a member of his choice.

26 The organizations which shall be entitled to submit recommended  
27 nominees are: New Jersey Health Officers Association, New Jersey  
28 State Chamber of Commerce, New Jersey Society of Professional  
29 Engineers, Inc., New Jersey Manufacturers Association, New  
30 Jersey Section of the American Industrial Hygiene Association,  
31 New Jersey State League of Municipalities, the New Jersey Free-  
32 holders' Association and the New Jersey State AFL-CIO.

33 (c) Of the 14 members first to be appointed, four shall be ap-  
34 pointed for terms of one year, four for terms of two years, three  
35 for terms of three years and three for terms of four years. There-  
36 after, all appointments shall be made for terms of four years. All  
37 appointed members shall serve after the expiration of their terms  
38 until their respective successors are appointed and shall qualify,  
39 and any vacancy occurring in the appointed membership of the  
40 council by expiration of term or otherwise, shall be filled in the  
41 same manner as the original appointment for the unexpired term

42 only, notwithstanding that the previous incumbent may have held  
43 over and continued in office as aforesaid. The Governor may remove  
44 any appointed member of the council for cause after a public  
45 hearing.

46 (d) Members of the council shall serve without compensation  
47 but shall be reimbursed for expenses actually incurred in attend-  
48 ing meetings of the council and in the performance of their duties  
49 as members thereof.

50 (e) The council shall elect annually a chairman and vice-chair-  
51 man from its own membership.

1 3. This act shall take effect immediately.

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#### STATEMENT

This bill transfers membership in the Clean Air Council and Coastal Area Review Board from the Commissioner of the Department of Labor to the Commissioner of the Department of Commerce and Economic Development.

These duties were not transferred to the Department of Commerce and Economic Development under its enabling act, P. L. 1981, c. 122 (C. 52:27H-1 et al), but have been identified as duties which would more appropriately be exercised by the commissioner of that department.

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ASSEMBLY AGRICULTURE AND ENVIRONMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 726**

with Assembly committee amendments \*

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**STATE OF NEW JERSEY**

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DATED: MAY 7, 1984

This bill replaces the Commissioner of Labor with the Commissioner of Commerce and Economic Development on the Clean Air Council and the Coastal Area Review Board.

The duties discharged by members of these bodies are more appropriately exercised by the Commissioner of Commerce and Economic Development, but were not transferred when the new department was created.

The Assembly Agriculture and Environment Committee amended the bill to correct a technical deficiency. \*

\* Original bill signed - no OCR printed

SENATE ENERGY AND ENVIRONMENT COMMITTEE  
STATEMENT TO  
**ASSEMBLY, No. 726**

**STATE OF NEW JERSEY**

DATED: OCTOBER 18, 1984

This bill would transfer membership in the Clean Air Council and Coastal Area Review Board from the Commissioner of the Department of Labor to the Commissioner of the Department of Commerce and Economic Development.

These duties were not transferred to the Department of Commerce and Economic Development under its enabling act, P. L. 1981, c. 122 (C. 52:27H-1 et seq.), but have been identified as duties which would more appropriately be exercised by the commissioner of that department.



# OFFICE OF THE GOVERNOR

## NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT  
609-292-8956

TRENTON, N.J. 08625

Release: MON., JAN 13, 1986

Governor Thomas H. Kean has signed the following bills:

A-307, sponsored by Assemblyman Robert D. Franks, R-Union, which amends the statute governing the State Health Benefits Program to provide coverage for service rendered by an extended care facility or by a home health agency regardless of whether the patient has been hospitalized.

A-505, sponsored by Assemblyman Garabed Haytaian, R-Warren, which amends the Local Public Contracts Law to require notification to bidders of revisions or additions to advertisements or bid documents.

A-72<sup>6</sup>, sponsored by Assemblyman John O. Bennett, R-Monmouth, which transfers membership of the Clean Air Council and the Coastal Area Review Board from the Labor Commissioner to the Commissioner of Commerce and Economic Development.

A-994, sponsored by Assemblyman Richard A. Zimmer, R-Hunterdon, which limits the liability of the owner, occupant or lessee of land who grants written permission to another to operate a motor vehicle or ride horseback on his or her land.

A-1406, sponsored by Assemblyman Karl Weidel, R-Mercer, which establishes a comprehensive framework for the regulation of oil and natural gas production.

The bill sets requirements for permits at each stage of oil or natural gas production: exploration, extraction and plugging or abandoning a well and authorizes the Department of Environmental Protection to administer the permits and regulate the activity.

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Matter printed in italics *thus* is new matter.