

13:1L-1 to 13:1L-25

LEGISLATIVE HISTORY CHECKLIST

NJSA: 13:1 L-1 to 13:1L-25; 45:15C-1 et al

('State Park and Forestry Resources Act')

LAWS OF: 1983

CHAPTER: 324

Bill No: A1515

Sponsor(s): Costa and others

Date Introduced: May 20, 1982

Committee: Assembly: Agriculture and Environment

Senate: Energy and Environment

Amended during passage: YES

Substituted for A1423 (not attached since identical to A1515)
Amendments during passage denoted by asterisks.

Date of Passage:

Assembly: April 25, 1983

Senate: July 11, 1983

Date of Approval: September 1, 1983

Following statements are attached if available:

Sponsor statement: YES

Committee statement: Assembly YES

Senate NO

Fiscal Note: NO

Veto Message: NO

Message on Signing: NO

Following were printed:

Reports: NO

Hearings: NO

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9-1-83

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 1515

STATE OF NEW JERSEY

INTRODUCED MAY 20, 1982

By Assemblywoman COSTA, Assemblymen GORMAN, PANKOK,
WATSON, NAPLES, Assemblywoman KALIK, Assemblymen
MARSELLA, RILEY and WEIDEL

AN ACT concerning the development, management and preservation
of State parks and forests, the provision of recreational oppor-
tunities and the promotion of forest resources in the State,
amending P. L. 1940, c. 100 and its title and repealing parts of
the statutory law.

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

1 1. (New section) This act shall be known and may be cited as the
2 "State Park and Forestry Resources Act."

1 2. (New section) The Legislature finds and declares that the
2 acquiring, planning, designing, developing, operating and managing
3 of the State parks and forests is in the best interest of the citizens
4 of this State and that the provision of recreational programs to all
5 segments of the public enhances the public health, prosperity and
6 general welfare and is a proper responsibility of the State. The
7 Legislature further finds and declares that forested lands in the
8 State should be managed to maximize the public benefit from the
9 State's forest resources.

1 3. (New section) For the purposes of this act:

2 a. "Department" means the Department of Environmental Pro-
3 tection.

4 b. "Forest resources" means those renewable products and
5 reusable resources of all forest lands in the State, including but
6 not limited to trees, timber, shrubs and other vegetation, and the

**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.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted April 11, 1983.**

7 value of forest lands relating to recreation, wilderness appreciation,
8 aesthetic appeal and soil fertility.

9 *c. *“Green Acres program” means the program for the purchase*
10 *of land for recreation and conservation purposes pursuant to P. L.*
11 *1961, c. 45 (C. 13:8A-1 et seq.), P. L. 1971, c. 419 (C. 13:8A-19*
12 *et seq.), and P. L. 1975, c. 155 (C. 13:8A-35 et seq.).**

13 ***[c.]*** *d.* *“Recreational activities” includes, but is not limited*
14 *to, fresh and salt water swimming, water skiing, boating and fishing,*
15 *ice skating, snow skiing, camping, trail hiking, horseback riding,*
16 *picnicking, ***[hunting,]*** bicycling, court and field games, track and*
17 *field events, birdwatching, playground activities and golf.*

18 ***[d.]*** *e.* *“State parks and forests” means all State owned or*
19 *leased lands, waters and facilities administered by the Department*
20 *of Environmental Protection, including, but not limited to, parks,*
21 *forests, recreational areas, marinas, historic sites, burial sites and*
22 *natural areas, but not including wildlife management areas or*
23 *reservoir lands.*

1 4. (New section) The department shall acquire, plan, design,
2 construct, operate and maintain State parks and forests and shall
3 have the power to:

4 a. Install permanent improvements for the health and comfort
5 of the public;

6 b. Install permanent improvements for the protection, develop-
7 ment or maintenance of lands or properties;

8 c. Acquire, lay out, construct and maintain roads and trails:

9 (1) over the State park and forest lands and acquire lands;

10 (2) between or connecting any separate portions of such lands;

11 (3) from points on such land up to, but not including, other
12 public roads outside of and adjacent to such lands;

13 d. For the puposes of this section, acquire rights of way upon
14 and across any intervening lands;

15 e. Vacate and close any municipal street or any portion of a
16 municipal street that is solely bordered by State property when
17 closure is necessary to protect the public interest***[.]*** *;*

18 *f. *Sell or exchange forest products or products reasonably*
19 *related to recreational activities on State park and forest land.**

1 5. (New section) The department shall:

2 a. Provide recreational activities and programs within State
3 parks and forests for the benefit of the State’s citizens;

4 b. Strive to provide recreational opportunities to all segments
5 of the State’s population and may provide transportation for urban
6 residents to the State parks and forests;

7 c. Conduct and promote cultural activities, such as plays, movies

8 and exhibits, at State parks and forests and at other locations
9 throughout the State*~~]~~* *,*

10 *d. Prepare and implement a master plan and a management plan
11 for each State park and forest.*

1 6. a. (New section) *~~The]~~* *Notwithstanding any other law,
2 rule or regulation to the contrary, the* department shall have the
3 *~~power and]~~* authority*~~]~~, subject to the applicable provisions of
4 the open public bidding statutes,]* to grant *~~or award]~~* such
5 rights or privileges to individuals or corporations for the construc-
6 tion, operation and maintenance for private profit of any facility,
7 utility or device upon the State parks and forests, lands and waters
8 as the department shall find necessary and proper for the use and
9 enjoyment of the lands by the public. Such rights and privileges
10 shall include, but not be limited to, concessions, franchises, licenses,
11 permits and other rights and privileges deemed by the department
12 to be appropriate in the utilization of the lands for the public
13 benefit. The grant or award of such rights or privileges shall be
14 made in the name of the State of New Jersey and executed by the
15 department, at such price and upon such terms and conditions as
16 shall be fixed by the department.

1 b. The department shall have the authority to acquire rights
2 and privileges in lands owned by individuals or corporations where
3 the department deems it necessary or useful, for the proper im-
4 plementation of the provisions of this *amendatory and supple-
5 mentary* act, that an interest in such lands be acquired. Such
6 rights and privileges shall include, but not be limited to, leases,
7 licenses, concessions, franchises and permits. Any rights or privi-
8 leges acquired hereunder and the considerations therefor shall be
9 subject to terms and conditions fixed by the department.

1 7. a. (New section) For the purposes of acquiring, holding,
2 managing or developing lands or other properties for a State park
3 or forest, the department shall have the power to enter, inspect,
4 survey, investigate ownership and take title to, in fee or otherwise,
5 by purchase, gift, devise or eminent domain, any appropriate lands
6 of the State that would be useful as a State park or forest.

7 b. The power of eminent domain shall extend to all rights,
8 interests and easements in any property in the State.

9 c. The department shall exercise its power of eminent domain
10 in accordance with the "Eminent Domain Act of 1971," P. L. 1971,
11 c. 361 (C. 20:3-1 et seq.).

12 d. Whenever the department wishes to acquire, by eminent
13 domain, title to unoccupied lands and it appears that such title may
14 be defective in any manner, the department may, with the consent

15 of the Attorney General, acquire the best available title, notwith-
 16 standing that such title is defective or incomplete.

17 e. For purposes of this **amendatory and supplementary** act,
 18 the department may acquire by gift, grant or by payment of tax
 19 lien any municipal lands that have been acquired by the municipality
 20 through the foreclosure of a tax lien pursuant to chapter 5 of
 21 Title 54 (Taxation).

22 f. If the department acquires or owns title to, for the purposes
 23 of this act, more than ten acres of land in a municipality, the depart-
 24 ment shall annually pay that municipality ten cents per acre for
 25 each acre of land so acquired*, *except that this sum shall not be paid*
 26 *if any other payments in lieu of taxes are determined to be due and*
 27 *payable to that municipality pursuant to any other law*.*

28 g. No title or interest in any of the lands or properties acquired
 29 or held by the department for the purposes of this **amendatory and*
 30 *supplementary** act shall be subject to be taken by condemnation
 31 proceedings through the power of eminent domain.

1 8. (New section) The department shall have **[the power and]**
 2 the authority to sell, lease or exchange **[for other]* *any** lands
 3 or **[property or]** any interest therein, **[including improvements*
 4 *thereon, and to grant easements or rights-of-way through, over,*
 5 *under and upon, any areas of land and water, held pursuant to this*
 6 *act, and to sell or exchange any products thereon. Such sales,*
 7 *exchanges or easements shall be made in the name of the State of*
 8 *New Jersey and executed by the department]* *except those lands*
 9 *or interests acquired pursuant to the Green Acres program, for the*
 10 *acquisition of any other lands or interests therein for incorporation*
 11 *into the State park and forest system*.*

1 9. (New section) The department may close a State park or
 2 forest or may remove any person from a State park or forest
 3 without legal procedure if the department determines that it is
 4 in the interest of the State to do so.

1 10. (New section) No person may mutilate, destroy, alter or move
 2 any State park or forest property, whether man-made or natural,
 3 **or any animal,** or any archaeological findings, which shall include,
 4 but not be limited to, relics, objects or artifacts of an historical,
 5 prehistorical, geological, archaeological or anthropological nature,
 6 which are held by the department pursuant to the provisions of this
 7 **amendatory and supplementary** act, without the department's
 8 permission. No person may litter or abandon any material on State
 9 park or forest property held pursuant to the provisions of this
 10 **amendatory and supplementary** act.

1 11. (New section) a. In specific regard to High Point Park, the

2 department shall not allow the shooting or trapping of birds on
 3 park grounds, other than that of vermin, and then only by autho-
 4 rized representatives of the State.

5 b. As Island Beach State Park is a unique recreational resource
 6 and is highly valued for its topography, flora and fauna, it shall be
 7 preserved, maintained and improved in such a manner as the depart-
 8 ment determines will best perpetuate the present physical state.

1 12. (New section) The department shall not charge an admission
 2 fee for entrance into a State park or forest by any resident of the
 3 State of 62 or more years of age or who is totally disabled. The
 4 department shall prescribe by regulation the types of evidence that
 5 may be used to qualify persons for the benefits of this subsection.

1 13. (New section) The department shall plan, develop and im-
 2 plement a forest management program for the forest resources of
 3 the State parks and forest and by providing technical information,
 4 advice and related assistance to promote the best technical manage-
 5 ment practices for public and private forest landowners and mana-
 6 gers, vendors, forest operators, wood processors, public agencies
 7 and individuals regarding:

8 a. The harvesting, marketing and processing of timber and
 9 other forest resources and the development of maximum efficiency
 10 in the utilization of wood and wood products **consistent with the*
 10A *principle of maintaining long-term, sustained yield of these*
 10B *products**;

11 b. Conversion of wood to energy for domestic, industrial, muni-
 12 cipal and other uses;

13 c. Management planning and treatment of forest land, including,
 14 but not limited to, protection, site preparation, timber stand im-
 15 provement, reforestation, prescribed burning and other practices
 16 designed to increase the quantity and improve the quality of timber
 17 and other forest resources;

18 d. Protection and improvement of: forest soil fertility; water-
 19 sheds to enhance the quality and quantity of water yields; and
 20 beneficial effects of forest habitat on fish and wildlife.

1 14. (New section) The department shall procure, produce and
 2 distribute tree seeds and seedling trees for the purpose of:

3 a. Establishing forests, windbreaks, shelterbelts, woodlots, and
 4 other plantings;

5 b. Developing genetically improved tree seeds;

6 c. Planting tree seeds and trees for the reforestation or foresta-
 7 tion of lands suitable for the production of timber and other benefits
 8 associated with the growing of trees.

1 15. (New section) The department shall protect from insects and
 2 diseases the trees and forest and wood products, stored wood, and
 3 wood in use in the State. This protection shall include, but not be
 4 limited to:

5 a. Conducting surveys to detect and evaluate insect infestations
 6 and disease conditions affecting forests and trees;

7 b. Determining the biological, chemical and mechanical measures
 8 necessary to prevent, retard, control or suppress incipient, poten-
 9 tially threatening or emergency insect infestation and disease
 10 conditions affecting trees;

11 c. Taking any other actions deemed necessary to protect the
 12 State's trees, forests and wood products from insects and diseases.

1 16. (New section) The department shall:

2 a. Minimize the threat to life, property, and damage to forest
 3 resources through the use of appropriate fire prevention, pre-
 4 suppression and suppression practices;

5 b. Provide information and technical assistance to units of local
 6 government, including but not limited to Shade Tree Commissions
 7 and Soil Conservation Districts, to encourage urban and community
 8 forestry programs.

1 17. (New section) The chief forester employed by the department
 2 shall be designated and known as the State Forester. *~~["The State~~
 3 ~~Forester shall be the active agent of the department in relation to~~
 4 ~~the forestry laws and regulations.]"~~*

1 18. (New section) The department *~~["shall]"~~ *may* publish, from
 2 time to time, *~~["such of its conclusions and recommendations as may~~
 3 ~~be of immediate public interest. If any such publication shall be in~~
 4 ~~special demand and the supply become limited, the department may~~
 5 ~~restrict its distribution or fix a reasonable price to pay for it]"~~ *any
 6 *information it deems to be in the public interest at a cost not to*
 7 *exceed that of publication and distribution*.*

1 *~~["19. (New section) The department may establish, by rule, and~~
 2 ~~charge fees for any of the services it performs in connection with~~
 3 ~~this act.]"~~*

1 *~~["20. (New section) The department shall have the power to~~
 2 ~~formulate and promulgate, amend and repeal orders, rules and~~
 3 ~~regulations necessary to carry out the provisions of this act. The~~
 4 ~~department shall promulgate rules and regulations in conformity~~
 5 ~~with the "Administrative Procedure Act," P. L. 1968, c. 410~~
 6 ~~(C. 52:14B-1 et seq.).]"~~*

1 *19. *The department may, pursuant to the "Administrative Pro-*
 2 *cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.), charge and*
 3 *collect fees for any of the services it performs pursuant to the*

4 provisions of this amendatory and supplementary act, and adopt
 5 any other rules or regulations consistent with the provisions of
 6 P. L. 1975, c. 363 (C. 13:1B-15.12a et seq.) necessary to carry out
 7 the provisions of this amendatory and supplementary act.*

1 ***[21]*** *20* (New section) The department may hire such em-
 2 ployees as may be necessary to carry out the provisions of this
 3 *amendatory and supplementary* act. Subject to the provisions
 4 of Title 11 (Civil Service), the department shall determine the
 5 compensation for the employees hired under this *amendatory and
 6 supplementary* act. The department shall employ the underprivi-
 7 leged, minorities and young people where appropriate.

1 ***[22.]*** *21.* (New section) The commissioner of the department
 2 shall have the power to vest in State Park Rangers *and other
 3 personnel* of the department, while such personnel are on duty,
 4 the power to arrest without warrant any person violating any law
 5 of the State committed in their presence and bring the offender
 6 before any court having jurisdiction to receive the complaint of
 7 such violation. ***[Such State Park Rangers]*** *These personnel*
 8 are hereby authorized to carry firearms ***[in pursuit]*** *while in
 9 the actual performance* of their *official* duties. The department,
 10 with the approval of the Attorney General, shall establish and
 11 maintain a law enforcement training program for such personnel.

1 ***[23.]*** *22.* (New section) For the purpose of this *amendatory
 2 and supplementary* act, the department may administer oaths,
 3 examine witnesses under oath, and issue subpoenas for the produc-
 4 tion of written material or requiring personal attendance before
 5 the department.

1 ***[24.]*** *23.* (New section) If any person violates any of the
 2 provisions of this *amendatory and supplementary* act or any rule,
 3 regulation or order promulgated pursuant ***[to the provisions of
 4 this act]*** *thereto*, the department may institute a civil action in
 5 a court of competent jurisdiction for injunctive relief to prohibit
 6 and prevent the violation and the court may proceed in a summary
 7 manner. Any person who violates any of the provisions of this
 8 *amendatory and supplementary* act or any rule, regulation or
 9 order promulgated pursuant ***[to this act]*** *thereto* shall be liable
 10 to a penalty of not more than \$1,000.00 for each offense*,* to be
 11 collected in a civil action by a summary proceeding under "the
 12 penalty enforcement law" (N. J. S. 2A :58-1 et seq.) or in any case
 13 before a court of competent jurisdiction wherein injunctive relief
 14 has been requested. The Superior Courts, county district courts
 15 and municipal courts shall have jurisdiction to hear and determine
 16 violations of the provisions of this *amendatory and supplemen-

17 *tary** act. If the violation is of a continuing nature, each day during
 18 which it continues shall constitute an additional, separate and
 19 distinct offense. If the damage resulting from any violation of this
 20 **amendatory and supplementary** act or from any violation of any
 21 rule, regulation or order promulgated pursuant ***[to this act]***
 22 **thereto** exceeds \$1,000.00, the person causing the damage shall be
 23 liable to a penalty equal to the value of the damage so caused.

1 ***[25.]* *24.*** (New section) The department is authorized and
 2 directed to implement and administer comprehensive programs for
 3 the purpose of providing employment opportunities for youth or
 4 for disadvantaged persons in the improvement, maintenance and
 5 conservation of State parks and forests, public lands, recreation
 6 facilities and natural resources. The department is authorized and
 7 directed to seek the assistance and cooperation of any other federal,
 8 State or municipal department or agency in providing such employ-
 9 ment opportunities.

1 ***[26.]* *25.*** (New section) Upon proper application to the de-
 2 partment by a nonprofit association or corporation, or municipality,
 3 the department is authorized to enter into agreements with, and
 4 make grants of money to, the applicant for the purpose of providing
 5 to disadvantaged youth up to age 18:

- 6 a. Transportation to and from State parks and forests, recreation
 7 areas and other recreational facilities, or
- 8 b. Camping experiences at day or overnight camps approved by
 9 the department.

1 ***[27.]* *26.*** The title of P. L. 1940, c. 100 is amended to read as
 1A follows:

2 An Act concerning the Department of **[Conservation and De-**
 3 **velopment]** *Environmental Protection*, creating therein a **[bureau]**
 4 *board* for the **[licensing]** *certification* and supervision of tree
 5 experts; prescribing the duties and powers of such **[bureau]**
 6 *board* **[and providing penalties for the violation of the provisions**
 7 **hereof]**.

1 ***[28.]* *27.*** Section 2 of P. L. 1940, c. 100 (C. 45:15C-2) is
 2 amended to read as follows:

3 2. **[Certified tree expert.]** When used in this act the term "tree
 4 expert" means a person skilled in the science of tree care who
 5 presents himself to the public for compensation as a practicing
 6 tree expert, whether he terms himself tree expert, arborist, tree
 7 specialist, tree surgeon, et cetera. In the interpretation of this act
 8 it is the person who diagnoses and recommends treatment or
 9 supervises the work which is to be carried out. He must maintain
 10 a place of business for the transaction of such practice or be

11 regularly employed by such a firm or individual or by a municipal,
 12 county or State agency engaged in tree preservation, and whose
 13 time during the regular business hours of the day is devoted to
 14 such practice, and the term "certified tree expert" means a person
 15 who has received from the [bureau] board of tree experts herein-
 16 after created a certificate of his qualifications to practice as a tree
 17 expert.

1 ***[29.]*** *28.* Section 3 of P. L. 1940, c. 100 (C. 45:15C-3) is
 2 amended to read as follows:

3 3. The Department of [Conservation and Development] *Environ-*
 4 *mental Protection* shall establish a [bureau] board of tree experts
 5 consisting of three members who shall be skilled in the knowledge,
 6 science and practice of tree care and shall have been actively
 7 engaged as tree experts within the State of New Jersey for a
 8 period of at least 5 years prior to their selection. Members of the
 9 [bureau] board shall hold office one for the term of 1 year, one
 10 for the term of 2 years, and one for the term of 3 years, and there-
 11 after until their successors are appointed by the [Department of
 12 Conservation and Development] *department*. Vacancies shall be
 13 filled for the unexpired term only. The [Department of Conserva-
 14 tion and Development] *department* shall make all rules and regu-
 15 lations necessary to carry into effect the provisions of this act.

1 ***[30.]*** *29.* Section 4 of P. L. 1940, c. 100 (C. 45:15C-4) is
 2 amended to read as follows:

3 4. **[Qualifications.]** The certificate of "certified tree expert"
 4 shall be granted by the [bureau] board to any person who is (a) a
 5 citizen of the United States or has duly declared his or her intention
 6 of becoming such citizen, and who is a legal resident of the State of
 7 New Jersey, (b) who is over the age of 21 years, and (c) who is of
 8 good moral character, and (d) who has [had 4 years of college
 9 education preferable forestry or agriculture, or equivalent, or who,
 10 in the opinion of the bureau has had sufficient professional exper-
 11 ience in tree care so that in the judgment of the bureau the
 12 requirement of 4 years of college or equivalent education may be
 13 waived] *graduated from a 4 year college with a degree in forestry,*
 14 *arboreculture, ornamental horticulture, landscape architecture, or*
 15 *the equivalent,* or (e) who shall have continuously for at least 5
 16 years immediately preceding the date of his application been en-
 17 gaged in practice as a tree expert, (f) who shall have successfully
 18 passed examinations in the theory and practice of tree care,
 19 including such [courses] *subjects* as botany, plant physiology,
 20 dendrology, entomology, plant pathology, and [agronomy] *soils.*

1 ***[31.]*** *30.* Section 5 of P. L. 1940, c. 100 (C. 45:15C-5) is
2 amended to read as follows:

3 5. **[Examinations.]** New applicants who have never been certified
4 or who have not held a certificate for 3 years previous must take an
5 examination. All examinations provided for herein shall be con-
6 ducted by the **[bureau] board**. The examinations shall take place
7 as often as may be necessary in the opinion of the **[bureau] board**
8 but not less frequently than one each year. A candidate who shall
9 have passed a satisfactory examination in all but one of the subjects
10 given by the **[bureau] board** of examination may be reexamined
11 in that subject only, at subsequent examinations held by the
12 **[bureau] board**, and if he passes in that subject he shall be con-
13 sidered to have passed the examination. Nothing in this law shall
14 be construed as prohibiting the reexamination in all subjects of a
15 candidate who has failed in a prior examination.

1 ***[32.]*** *31.* Section 6 of P. L. 1940, c. 100 (C. 45:15C-6) is
2 amended to read as follows:

3 6. **[Misconduct.]** The **[bureau] board** of tree experts by majority
4 vote thereof shall permanently revoke or temporarily suspend the
5 effect of a certificate of any certified tree expert who has been
6 convicted of a **[misdemeanor] crime** in the courts of this State, or
7 has been guilty of any fraud or deceit in obtaining such certificate,
8 or who has been guilty of negligence or wrongful conduct in the
9 practice of professional tree care. The **[bureau] board** may
10 promulgate and may amend from time to time canons of profes-
11 sional ethics and may temporarily suspend for a period not
12 exceeding 2 years the effect of the certificate of any certified tree
13 expert who violates such canons of professional ethics, this power
14 of suspension being in addition to and not in limitation of the power
15 to revoke or suspend heretofore provided in this section. Notice
16 of the cause for such contemplated action and the date of hearing
17 thereon by the **[bureau] board** shall be mailed to the holder of such
18 certificate at his or her registered address at least 20 days before
19 said hearing. No certificate issued under this act shall be revoked
20 or the effect thereof suspended until the **[bureau] board** shall have
21 had such hearing, but the nonappearance of the holder of any
22 certificate after notice as herein provided shall not prevent such
23 hearing. **[At all such hearings the Attorney General or one of his**
24 **assistants designated by him shall appear and represent the interest**
25 **of the public.]** By majority vote the **[bureau] board** may reissue
26 the certificate of any certified tree expert whose certificate shall
27 have been revoked and may modify the effect of the suspension
28 of any certificate which has been suspended. **[Any person not a**

29 citizen of the United States when he or she receives a certificate
 30 issued under this act shall have such certificate revoked unless
 31 within 6 years from the receipt thereof he or she shall become a
 32 citizen of the United States].

1 ***[33.]*** *32.* Section 8 of P. L. 1940, c. 100 (C. 45:15C-8) is
 2 amended to read as follows:

3 8. **[Violation.]** **[If any]** *No* person shall represent himself or
 4 herself to the public as having received a certificate as provided
 5 for in this act, or shall assume to practice as a certified tree expert
 6 without having received such certificate, **[or if any]** *and no* person
 7 *who* having received such certificate **[shall]** *and* thereafter **[lose]**
 8 *lost* the same by revocation or **[have]** *had* the effect of the same
 9 suspended as provided for in this act **[and]** shall continue to prac-
 10 tice as a certified tree expert, **[or if any]** *and no* person shall use
 11 such title, or the abbreviation "C.T.E." or any other words, letters
 12 or abbreviations tending to indicate that such person is a certified
 13 tree expert without having received such certificate or if such certi-
 14 cate has been revoked or suspended **[such person shall be deemed]**
 15 **[guilty of a misdemeanor, and upon conviction thereof shall be]**
 16 **[punished by a fine not exceeding \$500.00 or by imprisonment not]**
 17 **[exceeding 6 months or by both fine and imprisonment in the discre-**
 18 **[tion of the court].**

1 ***[34.]*** *33.* Section 9 of P. L. 1940, c. 100 (C. 45:15C-9) is
 2 amended to read as follows:

3 9. **[Reciprocal.]** The **[bureau]** *board* may in its discretion regis-
 4 ter the certificate of any person who is not a resident of this State
 5 and who is the lawful holder of a C.T.E. certificate issued under
 6 the laws of another state which extends similar privileges to certi-
 7 fied tree experts of this State; provided, the requirements of **[said]**
 8 **[degree]** *the certificate* in the **[said]** *other* state which has granted
 9 it to the applicant are, in the opinion of the **[bureau]** *board*,
 10 equivalent to those herein provided.

1 ***[35.]*** *34.* The following are repealed:

2 R. S. 13:1-12;
 3 R. S. 13:1-14;
 4 R. S. 13:1-16;
 5 R. S. 13:1-18 to R. S. 13:1-20 inclusive;
 6 R. S. 13:1-22 to R. S. 13:1-27 inclusive;
 7 R. S. 13:5-9 to R. S. 13:5-10 inclusive;
 8 R. S. 13:8-1 to R. S. 13:3-2 inclusive;
 9 R. S. 13:8-4 to R. S. 13:8-5 inclusive;
 10 R. S. 13:8-8;
 11 R. S. 13:8-10;

- 12 R. S. 13:8-15 and R. S. 13:8-16;
13 R. S. 13:8-20 to ~~*[R. S. 13:8-26]~~* *13:8-22* inclusive;
14 R. S. 13:14-1 to R. S. 13:14-9 inclusive;
15 P. L. 1971, c. 18 (C. 13:2-11);
16 P. L. 1977, c. 105 (C. 13:6-2 and 13:6-3);
17 P. L. 1968, c. 136 (C. 9:24-8 to 9:24-16 inclusive);
18 P. L. 1975, c. 367.
1 ~~*[36.]~~* *35.* This act shall take effect immediately.
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- 5 R. S. 13:1-18 to R. S. 13:1-20 inclusive;
6 R. S. 13:1-22 to R. S. 13:1-27 inclusive;
7 R. S. 13:5-9 to R. S. 13:5-10 inclusive;
8 R. S. 13:8-1 to R. S. 13:8-2 inclusive;
9 R. S. 13:8-4 to R. S. 13:8-5 inclusive;
10 R. S. 13:8-8;
11 R. S. 13:8-10;
12 R. S. 13:8-15 and R. S. 13:8-16;
13 R. S. 13:8-20 to R. S. 13:8-26 inclusive;
14 R. S. 13:14-1 to R. S. 13:14-9 inclusive;
15 P. L. 1971, c. 18 (C. 13:2-11);
16 P. L. 1977, c. 105 (C. 13:6-2 and 13:6-3);
17 P. L. 1968, c. 136 (C. 9:24-8 to 9:24-16 inclusive);
18 P. L. 1975, c. 367.
1 36. This act shall take effect immediately.

STATEMENT

This bill consolidates 56 separate sections of existing law into a concise act that provides for the acquisition, planning, design, development, operation and maintenance of the State parks and forests and for the provision of recreational programs to all segments of the public, and for the protection and management of the State's forest resources. It also modernizes by amendment the "Tree Expert Act," P. L. 1940, c. 100 (C. 45:15C-1 et seq.).

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1515

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: APRIL 11, 1983

The purpose of this bill is to update the statutes under whose authority the State's parks and forests are regulated and to provide for a more systematic and consistent approach to managing the State's recreational and natural area resources.

The bill would consolidate 56 separate and, in some cases, conflicting sections of existing law into a concise act that provides for the acquisition, planning, design, development, operation and maintenance of the State parks and forests.

The Assembly Agriculture and Environment Committee amended the bill to clarify that the new law would not be construed to supersede the laws governing the status of land purchased or acquired under the Green Acres program; to require the Department of Environmental Protection to prepare and implement a master plan and a management plan for each State park or forest; to permit the Department of Environmental Protection to charge fees for any of the services it would perform under the measure; to clarify that the actual performance of official duties is the only circumstance in which vested departmental personnel would be authorized to carry a firearm, and to make certain technical corrections.