13:19-46

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2016 **CHAPTER**: 59

NJSA: 13:19-46 (Establishes position of State Oceanographer.)

BILL NO: S987 (Substituted for A231)

SPONSOR(S) Bob Smith and others

DATE INTRODUCED: February 4, 2016

COMMITTEE: ASSEMBLY: Environment and Solid Waste

SENATE: Environment and Energy

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: September 15, 2016

SENATE: February 11, 2016

DATE OF APPROVAL: November 2, 2016

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted)

S987

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A231

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill)

Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
FOLLOWING WERE PRINTED: To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or mailto:refdesk@njstate	elib.org
REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

RWH/JA

P.L.2016, CHAPTER 59, approved November 2, 2016 Senate, No. 987

1 AN ACT establishing the position of State Oceanographer, 2 supplementing Title 13 of the Revised Statutes, and amending 3 P.L.2007, c.288.

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

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- 1. (New section) a. The Governor shall, with the advice and consent of the Senate, appoint a State Oceanographer, who shall be a resident of the State with expertise in oceanography. The State Oceanographer shall serve for a term of five years, or until a successor is appointed, and may be reappointed. The State Oceanographer shall provide advice and assistance, when requested, to the Governor, the Legislature, and the various departments and agencies of State government on issues involving the ocean, and serve as a member of the New Jersey Coastal and Ocean Protection Council established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36).
- b. On or before April 1 of each year, the State Oceanographer shall prepare and transmit an annual report for the preceding calendar year to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature. The annual report shall detail the activities of the State Oceanographer in the preceding calendar year, and the developments in the State in ocean observation, research, and prediction.
- c. The State Oceanographer shall serve without compensation, but shall be entitled to the actual and necessary expenses incurred in the performance of the duties of the position pursuant to this section, within the limits of funds appropriated or made available therefor.

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- 30 2. Section 3 of P.L.2007, c.288 (C.13:19-36) is amended to 31 read as follows:
 - 3. a. There is established in the Department of Environmental Protection the New Jersey Coastal and Ocean Protection Council.
 - b. The council shall consist of nine members as follows:
- 35 (1) the Commissioner of Environmental Protection, or the commissioner's designee, who shall serve ex officio;
- 37 (2) the Chief Executive Officer of the New Jersey Economic 38 Development Authority, or the chief executive officer's designee, 39 who shall serve ex officio;

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) the Executive Director of the Division of Travel and Tourism in the New Jersey Commerce Commission, or the executive director's designee, who shall serve ex officio; [and]

- (4) [six] the State Oceanographer, who shall serve ex officio; and
- (5) five public members to be appointed by the Governor with the advice and consent of the Senate for four-year terms, except that of those first appointed, one shall be appointed for a term of one year, one for a term of two years, [two] one for a term of three years and two for a term of four years. Of the public members: one shall be a representative of the commercial fishing industry, representing the range of commercial fisheries in the State, including shellfish and finfish fisheries and fisheries in State and federal waters; one shall be a representative of the recreational fishing industry, representing the range of recreational fisheries in the State, including the hook and line and the party and charter boat fishing industry; [one shall be a representative of the academic community with expertise, knowledge, or experience in coastal or ocean ecosystems and habitat; I one shall be a representative of an environmental organization with expertise, knowledge, experience in coastal or ocean ecosystems and habitat; one shall be a representative of a public interest group with expertise, knowledge, or experience in coastal or ocean ecosystems and habitat; and one shall be a representative of a non-profit organization with expertise, knowledge, or experience in habitat protection and land preservation.
 - c. Any vacancy in the membership shall be filled in the same manner as the original appointment.
 - d. The members of the council shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available to the council for its purposes.
 - e. The council shall be entitled to the assistance and service of the employees of any State, county or municipal department, board, bureau, commission, authority, or agency as it may require and as may be available to it for its purposes, and to employ stenographic and clerical assistance and to incur traveling or other miscellaneous expenses as may be necessary in order to perform its duties, within the limits of funds appropriated or otherwise made available to it for its purposes. The department shall provide primary staff support to the council.
 - f. The council shall organize as soon as possible after the appointment of its members and shall annually elect a chairperson from among its members, and a secretary who need not be a member of the council. The council shall meet at the call of the chairperson or the Commissioner of Environmental Protection or when requested by any four members of the council.

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1	g. A majority of the membership of the council shall constitute
2	a quorum for the transaction of council business.
3	h. The members of the council shall be subject to the "New
4	Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et
5	seq.).
6	i. The council shall be subject to the provisions of the "Senator
7	Byron M. Baer Open Public Meetings Act," P.L.1975,
8	c.231 (C.10:4-6 et seq.).
9	j. A true copy of the minutes of every meeting of the council
10	shall be prepared and made available to the public. The minutes
11	shall also be made available on the department's Internet website.
12	(cf: P.L.2007, c.288, s.3)
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14	3. This act shall take effect immediately.
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17	STATEMENT
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19	This bill establishes the position of State Oceanographer. The
20	State Oceanographer, who would be a resident of the State with
21	expertise in oceanography, would be appointed by the Governor, with
22	the advice and consent of the Senate. The State Oceanographer would
23	serve for a term of five years, uncompensated, and could be
24	reappointed for additional terms. The State Oceanographer would
25	provide advice and assistance, when requested, to the Governor, the
26	Legislature, and other State governmental entities, and serve as a
27	member of the New Jersey Coastal and Ocean Protection Council,
28	established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36). The
29	bill would require the State Oceanographer to prepare an annual report
30	for the preceding calendar year, detailing the activities of the State
31	Oceanographer and the developments in the State in ocean
32	observation, research, and prediction.
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Establishes position of State Oceanographer.

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SENATE, No. 987

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED FEBRUARY 4, 2016

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Assemblymen Coughlin, McKeon and Eustace

SYNOPSIS

Establishes position of State Oceanographer.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 9/16/2016)

1 AN ACT establishing the position of State Oceanographer, 2 supplementing Title 13 of the Revised Statutes, and amending 3 P.L.2007, c.288.

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

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- 1. (New section) a. The Governor shall, with the advice and consent of the Senate, appoint a State Oceanographer, who shall be a resident of the State with expertise in oceanography. The State Oceanographer shall serve for a term of five years, or until a successor is appointed, and may be reappointed. The State Oceanographer shall provide advice and assistance, when requested, to the Governor, the Legislature, and the various departments and agencies of State government on issues involving the ocean, and serve as a member of the New Jersey Coastal and Ocean Protection Council established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36).
- b. On or before April 1 of each year, the State Oceanographer shall prepare and transmit an annual report for the preceding calendar year to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature. The annual report shall detail the activities of the State Oceanographer in the preceding calendar year, and the developments in the State in ocean observation, research, and prediction.
- c. The State Oceanographer shall serve without compensation, but shall be entitled to the actual and necessary expenses incurred in the performance of the duties of the position pursuant to this section, within the limits of funds appropriated or made available therefor.

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- 2. Section 3 of P.L.2007, c.288 (C.13:19-36) is amended to read as follows:
- 3. a. There is established in the Department of Environmental Protection the New Jersey Coastal and Ocean Protection Council.
 - The council shall consist of nine members as follows:
- (1) the Commissioner of Environmental Protection, or the commissioner's designee, who shall serve ex officio;
- (2) the Chief Executive Officer of the New Jersey Economic Development Authority, or the chief executive officer's designee, who shall serve ex officio:
- 40 (3) the Executive Director of the Division of Travel and Tourism in the New Jersey Commerce Commission, or the 42 executive director's designee, who shall serve ex officio; [and]
- (4) [six] the State Oceanographer, who shall serve ex officio; 43 44 and

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

- (5) five public members to be appointed by the Governor with the advice and consent of the Senate for four-year terms, except that of those first appointed, one shall be appointed for a term of one year, one for a term of two years, [two] one for a term of three years and two for a term of four years. Of the public members: one shall be a representative of the commercial fishing industry, representing the range of commercial fisheries in the State, including shellfish and finfish fisheries and fisheries in State and federal waters; one shall be a representative of the recreational fishing industry, representing the range of recreational fisheries in the State, including the hook and line and the party and charter boat fishing industry; **[**one shall be a representative of the academic community with expertise, knowledge, or experience in coastal or ocean ecosystems and habitat; I one shall be a representative of an environmental organization with expertise, knowledge, experience in coastal or ocean ecosystems and habitat; one shall be a representative of a public interest group with expertise, knowledge, or experience in coastal or ocean ecosystems and habitat; and one shall be a representative of a non-profit organization with expertise, knowledge, or experience in habitat protection and land preservation.
 - c. Any vacancy in the membership shall be filled in the same manner as the original appointment.

- d. The members of the council shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available to the council for its purposes.
- e. The council shall be entitled to the assistance and service of the employees of any State, county or municipal department, board, bureau, commission, authority, or agency as it may require and as may be available to it for its purposes, and to employ stenographic and clerical assistance and to incur traveling or other miscellaneous expenses as may be necessary in order to perform its duties, within the limits of funds appropriated or otherwise made available to it for its purposes. The department shall provide primary staff support to the council.
- f. The council shall organize as soon as possible after the appointment of its members and shall annually elect a chairperson from among its members, and a secretary who need not be a member of the council. The council shall meet at the call of the chairperson or the Commissioner of Environmental Protection or when requested by any four members of the council.
- g. A majority of the membership of the council shall constitute a quorum for the transaction of council business.
- h. The members of the council shall be subject to the "New Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.).

S987 B.SMITH

- 1 The council shall be subject to the provisions of the "Senator 2 Byron M. Baer Open Public Meetings Act," 3 c.231 (C.10:4-6 et seq.).
 - A true copy of the minutes of every meeting of the council shall be prepared and made available to the public. The minutes shall also be made available on the department's Internet website.

(cf: P.L.2007, c.288, s.3)

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3. This act shall take effect immediately.

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STATEMENT

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This bill establishes the position of State Oceanographer. The State Oceanographer, who would be a resident of the State with expertise in oceanography, would be appointed by the Governor, with the advice and consent of the Senate. The State Oceanographer would serve for a term of five years, uncompensated, and could be reappointed for additional terms. The State Oceanographer would provide advice and assistance, when requested, to the Governor, the Legislature, and other State governmental entities, and serve as a member of the New Jersey Coastal and Ocean Protection Council, established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36). The bill would require the State Oceanographer to prepare an annual report for the preceding calendar year, detailing the activities of the State Oceanographer and the developments in the State in ocean observation, research, and prediction.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 987

STATE OF NEW JERSEY

DATED: FEBRUARY 4, 2016

The Senate Environment and Energy Committee favorably reports Senate Bill No. 987.

This bill establishes the position of State Oceanographer. The State Oceanographer, who would be a resident of the State with expertise in oceanography, would be appointed by the Governor, with the advice and consent of the Senate. The State Oceanographer would serve for a term of five years, uncompensated, and could be reappointed for additional terms. The State Oceanographer would provide advice and assistance, when requested, to the Governor, the Legislature, and other State governmental entities, and serve as a member of the New Jersey Coastal and Ocean Protection Council, established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36). The bill would require the State Oceanographer to prepare an annual report for the preceding calendar year, detailing the activities of the State Oceanographer and the developments in the State in ocean observation, research, and prediction.

ASSEMBLY ENVIRONMENT AND SOLID WASTE COMMITTEE

STATEMENT TO

SENATE, No. 987

STATE OF NEW JERSEY

DATED: MARCH 3, 2016

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 987.

This bill establishes the position of State Oceanographer. The State Oceanographer, who would be a resident of the State with expertise in oceanography, would be appointed by the Governor, with the advice and consent of the Senate. The State Oceanographer would serve for a term of five years, uncompensated, and could be reappointed for additional terms. The State Oceanographer would provide advice and assistance, when requested, to the Governor, the Legislature, and other State governmental entities, and serve as a member of the New Jersey Coastal and Ocean Protection Council, established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36). The bill would require the State Oceanographer to prepare an annual report for the preceding calendar year, detailing the activities of the State Oceanographer and the developments in the State in ocean observation, research, and prediction.

As reported by the committee, this bill is identical to Assembly Bill No. 231 as amended and also reported by the committee.

ASSEMBLY, No. 231

STATE OF NEW JERSEY

217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman JOE DANIELSEN District 17 (Middlesex and Somerset) Assemblywoman NANCY J. PINKIN District 18 (Middlesex)

Co-Sponsored by:

Assemblymen Coughlin, McKeon and Eustace

SYNOPSIS

Establishes position of State Oceanographer.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/17/2016)

1 AN ACT establishing the position of State Oceanographer, 2 supplementing Title 13 of the Revised Statutes, and amending 3 P.L.2007, c.288.

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

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- 8 1. (New section) a. The Governor shall, in consultation with the Executive Dean of Agriculture and Natural Resources at 9 10 Rutgers, the State University of New Jersey, and with the advice and consent of the Senate, appoint a State Oceanographer, who shall 11 12 be a resident of the State and a tenured faculty member at the 13 university with expertise in oceanography. The State 14 Oceanographer shall serve within the New Jersey Agricultural 15 Experiment Station at Rutgers, the State University of New Jersey, for a term of five years, or until a successor is appointed, and may 16 17 be reappointed. The State Oceanographer shall provide advice and 18 assistance, when requested, to the Governor, the Legislature, and 19 the various departments and agencies of State government on issues involving the ocean, and serve as a member of the New Jersey 20 Coastal and Ocean Protection Council established pursuant to 21 22 section 3 of P.L.2007, c.288 (C.13:19-36). 23 Oceanographer may also be appointed to serve as a member of any 24 authority, board, or commission on which State
 - b. On or before April 1 of each year, the State Oceanographer shall prepare and transmit an annual report for the preceding calendar year to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature. The annual report shall detail the activities of the State Oceanographer in the preceding calendar year, and the developments in the State in ocean observation, research, and prediction.

Oceanographer's expertise would be useful.

c. The State Oceanographer shall serve without compensation, but shall be entitled to the actual and necessary expenses incurred in the performance of the duties of the position pursuant to this section, within the limits of funds appropriated or made available therefor.

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- 39 2. Section 3 of P.L.2007, c.288 (C.13:19-36) is amended to 40 read as follows:
- 3. a. There is established in the Department of Environmental Protection the New Jersey Coastal and Ocean Protection Council.
 - b. The council shall consist of nine members as follows:
- 44 (1) the Commissioner of Environmental Protection, or the 45 commissioner's designee, who shall serve ex officio;

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

1 (2) the Chief Executive Officer of the New Jersey Economic 2 Development Authority, or the chief executive officer's designee, 3 who shall serve ex officio;

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- (3) the Executive Director of the Division of Travel and Tourism in the New Jersey Commerce Commission, or the executive director's designee, who shall serve ex officio; [and]
- (4) [six] the State Oceanographer, who shall serve ex officio; and
- 9 (5) five public members to be appointed by the Governor with 10 the advice and consent of the Senate for four-year terms, except that of those first appointed, one shall be appointed for a term of one 11 year, one for a term of two years, [two] one for a term of three 12 years and two for a term of four years. Of the public members: one 13 14 shall be a representative of the commercial fishing industry, 15 representing the range of commercial fisheries in the State, 16 including shellfish and finfish fisheries and fisheries in State and 17 federal waters; one shall be a representative of the recreational 18 fishing industry, representing the range of recreational fisheries in 19 the State, including the hook and line and the party and charter boat 20 fishing industry; **[**one shall be a representative of the academic 21 community with expertise, knowledge, or experience in coastal or 22 ocean ecosystems and habitat; I one shall be a representative of an 23 environmental organization with expertise, knowledge, or 24 experience in coastal or ocean ecosystems and habitat; one shall be 25 a representative of a public interest group with expertise, 26 knowledge, or experience in coastal or ocean ecosystems and 27 habitat; and one shall be a representative of a non-profit 28 organization with expertise, knowledge, or experience in habitat 29 protection and land preservation.
 - c. Any vacancy in the membership shall be filled in the same manner as the original appointment.
 - d. The members of the council shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available to the council for its purposes.
 - e. The council shall be entitled to the assistance and service of the employees of any State, county or municipal department, board, bureau, commission, authority, or agency as it may require and as may be available to it for its purposes, and to employ stenographic and clerical assistance and to incur traveling or other miscellaneous expenses as may be necessary in order to perform its duties, within the limits of funds appropriated or otherwise made available to it for its purposes. The department shall provide primary staff support to the council.
- f. The council shall organize as soon as possible after the appointment of its members and shall annually elect a chairperson

A231 DANIELSEN, PINKIN

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- from among its members, and a secretary who need not be a member of the council. The council shall meet at the call of the chairperson or the Commissioner of Environmental Protection or when requested by any four members of the council.
 - g. A majority of the membership of the council shall constitute a quorum for the transaction of council business.
 - h. The members of the council shall be subject to the "New Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.).
 - i. The council shall be subject to the provisions of the "Senator Byron M. Baer Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).
 - j. A true copy of the minutes of every meeting of the council shall be prepared and made available to the public. The minutes shall also be made available on the department's Internet website.

16 (cf: P.L.2007, c.288, s.3)

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3. This act shall take effect immediately.

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This bill establishes the position of State Oceanographer. The State Oceanographer, who would be a resident of the State and a tenured faculty member at Rutgers, the State University of New Jersey, would be appointed by the Governor, in consultation with the Executive Dean of Agriculture and Natural Resources at Rutgers, and with the advice and consent of the Senate. The State Oceanographer would serve within the New Jersey Agricultural Experiment Station for a term of five years, uncompensated, and could be reappointed for additional terms. The State Oceanographer would provide advice and assistance, when requested, to the Governor, the Legislature, and other State governmental entities, and serve as a member of the New Jersey Coastal and Ocean Protection Council, established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36). Oceanographer could also be appointed to serve as a member of any board, or commission on which Oceanographer's expertise would be useful. The bill would require the State Oceanographer to prepare an annual report for the preceding calendar year, detailing the activities of the State Oceanographer and the developments in the State in ocean observation, research, and prediction.

ASSEMBLY ENVIRONMENT AND SOLID WASTE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 231

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 3, 2016

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 231.

This bill establishes the position of State Oceanographer. The State Oceanographer, who would be a resident of the State with expertise in oceanography, would be appointed by the Governor, with the advice and consent of the Senate. The State Oceanographer would serve for a term of five years, uncompensated, and could be reappointed for additional terms. The State Oceanographer would provide advice and assistance, when requested, to the Governor, the Legislature, and other State governmental entities, and serve as a member of the New Jersey Coastal and Ocean Protection Council, established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36). The bill would require the State Oceanographer to prepare an annual report for the preceding calendar year, detailing the activities of the State Oceanographer and the developments in the State in ocean observation, research, and prediction.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported by the committee, this bill is identical to Senate Bill No. 987 as also reported by the committee.

COMMITTEE AMENDMENTS

The committee amendments to the bill remove the requirements that:

- 1) the Governor consult with Rutgers University when making the appointment;
- 2) the State Oceanographer be a tenured faculty member at Rutgers University; and
- 3) the State Oceanographer serve within the New Jersey Agricultural Experiment Station at Rutgers University.

The committee amendments also delete the language providing that the State Oceanographer could be appointed to serve as a member of any authority, board, or commission on which the State Oceanographer's expertise would be useful.

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Governor Chris Christie Takes Action On Pending Legislation

Wednesday, November 2, 2016

Tags: Bill Action

State of New Jersey OFFICE OF THE GOVERNOR

Trenton, NJ - Governor Chris Christie announced that he has taken action on the following legislation:

BILL SIGNINGS:

S-987/A-231 (Smith/Danielsen, Pinkin, McKnight) - Establishes position of State Oceanographer

S-1969/A-223 (Turner/DeAngelo, Benson, Quijano, Singleton) - Requires NJ Clean Energy Program's Residential New Construction incentives be made available Statewide

SJR-13/AJR-65 (Madden, Turner/DeAngelo, Space, Phoebus, Houghtaling) - Designates third week in October of each year as "New Jersey Careers in Utilities Week"

###

Press Contact: Brian Murray 609-777-2600

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