

52:18C-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2007 **CHAPTER:** 206

NJSA: 52:18C-1 (Establishes New Jersey Marine Sciences Consortium)

BILL NO: S2537 (Substituted for A4022)

SPONSOR(S) Karcher and Others

DATE INTRODUCED: February 8, 2007

COMMITTEE: **ASSEMBLY:**

SENATE: Environment

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** December 13, 2007

SENATE: June 21, 2007

DATE OF APPROVAL: December 20, 2007

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Second reprint enacted)

S2537

[SPONSOR'S STATEMENT:](#) (Begins on page 6 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[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:](#) [Yes](#)

LEGISLATIVE FISCAL NOTE: No

A4022

[SPONSOR'S STATEMENT:](#) (Begins on page 6 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

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@njstatelib.org>.

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH 5/7/08

Title 52.
Chapter 18C
(New)
Marine Sciences
Consortium
§§1-8 -
C.52:18C-1 to
52:18C-8

P.L. 2007, CHAPTER 206, *approved December 20, 2007*
Senate, No. 2537 (*Second Reprint*)

1 AN ACT establishing the New Jersey Marine Sciences Consortium
2 and supplementing Title 52 of the New Jersey Statutes.

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

6
7 1. There is hereby established in but not of the Department of
8 Treasury a body corporate and politic to be known as the New
9 Jersey Marine Sciences Consortium, hereinafter referred to as the
10 consortium. The consortium, through its partnership of various
11 institutions of higher education throughout the State and in
12 neighboring states, shall seek as its principle purpose to foster the
13 stewardship and wise use of the region's coastal resources. The
14 consortium shall serve as the managing agent of the New Jersey Sea
15 Grant College Program and shall provide effective leadership in
16 marine affairs in the State and region by facilitating science
17 literacy, contributing solutions to coastal issues, contributing to
18 science-based policy and technology development, and promoting
19 sustainability through balanced economic growth and
20 environmental stewardship.

21
22 2. The administration and conduct of the consortium shall be
23 vested in a board of trustees. The board of trustees shall consist of
24 ¹[~~22~~] ²[~~23~~¹] 24² voting members as follows: the Commissioner of
25 ¹[the Department of] Environmental Protection, ex-officio, or
26 ¹[his] a¹ designee; the Executive Director of the Commission on
27 Higher Education, ex-officio, or ¹[his] a¹ designee; the State
28 Treasurer, ex-officio, or ¹[his] a¹ designee; the Commissioner of
29 ¹[the Department of] Transportation, ex-officio, or ¹[his] a¹
30 designee; the Secretary of Agriculture, ex-officio, or a designee;¹
31 the Chief Executive Officer and¹ Secretary of the New Jersey
32 Commerce, Economic Growth and Tourism Commission, ex-
33 officio, or ¹[his] a¹ designee; the Laboratory Director of the James
34 J. Howard Marine Sciences Laboratory of the Northeast Fisheries
35 Science Center, ex-officio, or ¹[his] a¹ designee; six members

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted May 14, 2007.

²Senate floor amendments adopted June 18, 2007.

1 representing institutions of higher education in the State, including
2 one each selected by the New Jersey Association of State Colleges
3 and Universities, Rutgers, The State University, the New Jersey
4 Institute of Technology, the New Jersey Council of County
5 Colleges, the Association of Independent Colleges and Universities
6 in New Jersey, and the University of Medicine and Dentistry of
7 New Jersey; ²a representative selected by the New Jersey Council
8 of Vocational Schools.² and 10 public trustees, including six
9 trustees who shall be appointed by the Governor, two trustees who
10 shall be appointed by the President of the Senate, and two trustees
11 who shall be appointed by the Speaker of the General Assembly. To
12 the greatest extent practicable, each of the public trustees shall be
13 selected for their expertise, training, and interest in regional
14 economics and business, marine transportation and harbor
15 operations, ocean policy, recreational and commercial fishing,
16 marine recreation and tourism, and other living marine resources.
17 In addition to the ¹[22] ²[23¹] ²⁴² voting members, the board of
18 trustees may elect emeritus trustees, who shall serve as nonvoting
19 members on the board. The trustees representing institutions of
20 higher education ², the trustee selected by the New Jersey Council
21 of Vocational Schools.² and the public trustees shall be appointed
22 for terms of three years and shall serve until the appointment of
23 their successors, except for the initial terms which shall be
24 staggered terms of one, two, and three years respectively as
25 determined by the Governor. Members of the board shall serve
26 without compensation but may be reimbursed for necessary
27 expenses incurred in the performance of their duties.

28

29 3. a. The board of trustees shall meet annually on or before
30 April 30th and shall annually elect from among its members a
31 chairman and a vice-chairman who shall continue to serve until
32 their successors have been appointed.

33 b. The board of trustees shall appoint a president of the
34 consortium who shall also serve as the chief executive officer and
35 who shall be an ex-officio, nonvoting member of the board. The
36 president shall serve at the pleasure of the board and shall, with the
37 approval of the board and subject to the applicable laws, rules, and
38 regulations of the State, appoint and remove all professional,
39 research, technical, clerical, and stenographic employees of the
40 consortium. The compensation of the president shall be fixed by the
41 board. The president shall serve as secretary to the board, the
42 executive committee, and any additional committees appointed by
43 the board to assist in the implementation of the provisions of this
44 act.

45 c. On or before June 30th of each year, the president shall
46 submit a report of the activities of the consortium to the board of
47 trustees together with any additional information the board of
48 trustees may require.

1 d. A true copy of the minutes of every meeting of the board
2 shall be delivered to the Governor. No action taken at the meeting
3 by the board shall have force or effect until 10 days after the copy
4 of the minutes has been delivered. If in the 10-day period the
5 Governor returns the copy of the minutes with a veto of any action
6 taken by the board or any member thereof at the meeting, the action
7 shall be null and of no effect. If the Governor does not return the
8 minutes within the 10-day period, any action therein recited shall
9 have force and effect according to the wording thereof. At any time
10 prior to the expiration of the 10-day period, the Governor may sign
11 a statement of approval of any such action of the board, in which
12 case the approved action shall not thereafter be disapproved.

13

14 4. It shall be the responsibility of the consortium to administer
15 the New Jersey Sea Grant College Program and to continue to
16 implement the New Jersey's Master Plan on Marine Sciences. The
17 consortium shall have the responsibility, consistent with State and
18 federal law, to:

19 a. undertake long-range planning to develop cooperative
20 programs among member institutions through a solid Statewide
21 organizational structure and function as a vehicle to assist member
22 institutions individually and collectively;

23 b. promote and broker cooperative marine research, education,
24 and advisory services utilizing the pooled resources of member
25 institutions;

26 c. facilitate and organize research on problems of interest to
27 State and federal government agencies;

28 d. provide for the operation of field stations and laboratories
29 for research, education, and advisory services in all marine-related
30 disciplines;

31 e. organize and sponsor graduate and undergraduate studies in
32 all marine sciences;

33 f. provide facilities for research, instruction, and public service
34 for visiting researchers, organized groups, and students, and for
35 meetings, seminars, and workshops hosted to encourage dialogue
36 among scientists and stakeholders;

37 g. encourage preparation of peer-reviewed papers and scholarly
38 publications and provide for interpretation and dissemination of
39 research findings in a manner most beneficial to the State;

40 h. aid and encourage scholarly activities for research fellows
41 and others by organizing and sponsoring programs and providing
42 opportunities for basic and applied research;

43 i. assign membership dues and user fees for consortium
44 facilities;

45 j. administer research funds acquired from cooperative
46 programs through competitive grants and contracts;

47 k. develop a consortium mini-grant program to encourage new
48 researchers; and

- 1 l. serve as the recipient agency for transfers of real property
2 and offers of grants or equipment.
3
- 4 5. The board of trustees shall have the following powers:
 - 5 a. to sue and be sued, including the right to recover all debts
6 owing and to retain legal counsel therefore, as provided for under
7 State law;
 - 8 b. to actively seek and accept donations, bequests, or other
9 forms of financial assistance for educational purposes from any
10 public or private person or agency and comply with rules and
11 regulations governing grants from the federal government or any
12 other person or agency which are not in contravention of the
13 constitution and State law;
 - 14 c. to purchase equipment, and to properly maintain, and make
15 improvements to facilities necessary for the use of the consortium
16 in accordance with applicable State laws;
 - 17 d. to adopt, amend, or repeal rules and regulations necessary or
18 proper for the business of the consortium;
 - 19 e. to affiliate with any institution giving any special course of
20 instruction, upon such terms as the board of trustees deems
21 expedient, which terms may include the retention by such
22 institution of the control of property, faculty, and staff;
 - 23 f. to enter into contracts and agreements with other public
24 agencies with respect to cooperative enterprises and undertakings
25 relating to or associated with college or university purposes and
26 programs in accordance with applicable laws;
 - 27 g. to perform such other functions as are necessary or
28 incidental to the supervision and management of the consortium;
 - 29 h. to employ the proceeds of all donations, grants,
30 subscriptions, and bequests made to the consortium in accordance
31 with the terms and conditions of the donations, grants,
32 subscriptions, and bequests;
 - 33 i. to establish such subcommittees as may be necessary to
34 assist the board of trustees in the implementation of the provisions
35 of this act;
 - 36 j. to adopt necessary rules and regulations regarding the hours
37 of employment and the accrual and use of sick leave and annual
38 leave for all personnel employed by the consortium; and
 - 39 k. to enter into contracts and agreements with any public
40 agency for the establishment of State or other public offices on the
41 property and in the buildings belonging to or under the control of
42 the consortium. The board of trustees also may enter into contracts
43 and agreements for joint construction, equipment, maintenance, and
44 financing of the buildings, and enter into contracts and agreements
45 for the joint financing, supervision, and conduct of cooperative
46 enterprises and undertakings.
47
- 48 6. The State Treasurer and the six public trustees of the
49 consortium appointed by the Governor shall establish an executive

1 committee of the consortium. The executive committee shall serve
2 as the fiscal agent of the consortium and shall review and approve
3 the consortium's budget requests and operating budget and shall
4 review and approve all funds appropriately awarded or bequeathed
5 to the consortium. The executive committee shall prepare and
6 submit all budget requests and other budget documents required and
7 shall review and approve all payments made from federal, State,
8 private or other funds available to the consortium.

9
10 7. There is created an advisory committee to the consortium.
11 The advisory committee shall consist of 11 members, who shall
12 serve for terms of four years and shall serve until the appointment
13 of their successors except for the initial terms which shall be
14 staggered terms of two, three, and four years respectively as
15 determined by the Governor. The Commissioner of ¹the
16 Department of ¹Environmental Protection, the ¹Commissioner of
17 the Department of ¹Secretary of¹ Agriculture, the Commissioner of
18 ¹the Department of ¹Transportation, and the ¹Chief Executive
19 Officer and¹ Secretary of the New Jersey Commerce, Economic
20 Growth and Tourism Commission shall each appoint one member to
21 the advisory committee. The Governor shall appoint, with the
22 advice and consent of the Senate, one member each from the
23 maritime industry, commercial fishing and aquaculture industry,
24 pharmaceutical industry, biotechnology industry, recreational
25 fishing interests, and environmental organizations. The Laboratory
26 Director of the James J. Howard Marine Science Laboratory of the
27 Northeast Fisheries Science Center, Sandy Hook Laboratory, or his
28 designee, shall also serve on the advisory committee.

29
30 8. a. There is established in the General Fund a special,
31 dedicated, non-lapsing account to be known as the "New Jersey
32 Marine Sciences Consortium Account," which shall be a dedicated
33 fund to serve as a depository for monies collected by the consortium
34 through grant funds, private contributions, awards, donations and
35 other sources as are available. The monies in the fund shall be
36 made available to the New Jersey Marine Sciences Consortium only
37 for the purposes set forth in this act.

38 b. The fund shall be credited with the existing funds of the
39 consortium and other funds to support the functions of the
40 consortium as they become available.

41
42 9. This act shall take effect immediately.

43
44 _____
45
46 Establishes New Jersey Marine Sciences Consortium.

SENATE, No. 2537

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 8, 2007

Sponsored by:

Senator ELLEN KARCHER

District 12 (Mercer and Monmouth)

Senator JOSEPH A. PALAIA

District 11 (Monmouth)

Co-Sponsored by:

Senator Sweeney

SYNOPSIS

Establishes New Jersey Marine Sciences Consortium.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/11/2007)

1 AN ACT establishing the New Jersey Marine Sciences Consortium
2 and supplementing Title 52 of the New Jersey Statutes.

3

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

6

7 1. There is hereby established in but not of the Department of
8 Treasury a body corporate and politic to be known as the New
9 Jersey Marine Sciences Consortium, hereinafter referred to as the
10 consortium. The consortium, through its partnership of various
11 institutions of higher education throughout the State and in
12 neighboring states, shall seek as its principle purpose to foster the
13 stewardship and wise use of the region's coastal resources. The
14 consortium shall serve as the managing agent of the New Jersey Sea
15 Grant College Program and shall provide effective leadership in
16 marine affairs in the State and region by facilitating science
17 literacy, contributing solutions to coastal issues, contributing to
18 science-based policy and technology development, and promoting
19 sustainability through balanced economic growth and
20 environmental stewardship.

21

22 2. The administration and conduct of the consortium shall be
23 vested in a board of trustees. The board of trustees shall consist of
24 22 voting members as follows: the Commissioner of the Department
25 of Environmental Protection, ex-officio, or his designee; the
26 Executive Director of the Commission on Higher Education, ex-
27 officio, or his designee; the State Treasurer, ex-officio, or his
28 designee; the Commissioner of the Department of Transportation,
29 ex-officio, or his designee; the Secretary of the New Jersey
30 Commerce, Economic Growth and Tourism Commission, ex-
31 officio, or his designee; the Laboratory Director of the James J.
32 Howard Marine Sciences Laboratory of the Northeast Fisheries
33 Science Center, ex-officio, or his designee; six members
34 representing institutions of higher education in the State, including
35 one each selected by the New Jersey Association of State Colleges
36 and Universities, Rutgers, The State University, the New Jersey
37 Institute of Technology, the New Jersey Council of County
38 Colleges, the Association of Independent Colleges and Universities
39 in New Jersey, and the University of Medicine and Dentistry of
40 New Jersey; and 10 public trustees, including six trustees who shall
41 be appointed by the Governor, two trustees who shall be appointed
42 by the President of the Senate, and two trustees who shall be
43 appointed by the Speaker of the General Assembly. To the greatest
44 extent practicable, each of the public trustees shall be selected for
45 their expertise, training, and interest in regional economics and
46 business, marine transportation and harbor operations, ocean policy,
47 recreational and commercial fishing, marine recreation and tourism,
48 and other living marine resources. In addition to the 22 voting

1 members, the board of trustees may elect emeritus trustees, who
2 shall serve as nonvoting members on the board. The trustees
3 representing institutions of higher education and the public trustees
4 shall be appointed for terms of three years and shall serve until the
5 appointment of their successors, except for the initial terms which
6 shall be staggered terms of one, two, and three years respectively as
7 determined by the Governor. Members of the board shall serve
8 without compensation but may be reimbursed for necessary
9 expenses incurred in the performance of their duties.

10
11 3. a. The board of trustees shall meet annually on or before
12 April 30th and shall annually elect from among its members a
13 chairman and a vice-chairman who shall continue to serve until
14 their successors have been appointed.

15 b. The board of trustees shall appoint a president of the
16 consortium who shall also serve as the chief executive officer and
17 who shall be an ex-officio, nonvoting member of the board. The
18 president shall serve at the pleasure of the board and shall, with the
19 approval of the board and subject to the applicable laws, rules, and
20 regulations of the State, appoint and remove all professional,
21 research, technical, clerical, and stenographic employees of the
22 consortium. The compensation of the president shall be fixed by the
23 board. The president shall serve as secretary to the board, the
24 executive committee, and any additional committees appointed by
25 the board to assist in the implementation of the provisions of this
26 act.

27 c. On or before June 30th of each year, the president shall
28 submit a report of the activities of the consortium to the board of
29 trustees together with any additional information the board of
30 trustees may require.

31 d. A true copy of the minutes of every meeting of the board shall
32 be delivered to the Governor. No action taken at the meeting by the
33 board shall have force or effect until 10 days after the copy of the
34 minutes has been delivered. If in the 10-day period the Governor
35 returns the copy of the minutes with a veto of any action taken by
36 the board or any member thereof at the meeting, the action shall be
37 null and of no effect. If the Governor does not return the minutes
38 within the 10-day period, any action therein recited shall have force
39 and effect according to the wording thereof. At any time prior to
40 the expiration of the 10-day period, the Governor may sign a
41 statement of approval of any such action of the board, in which case
42 the approved action shall not thereafter be disapproved.

43
44 4. It shall be the responsibility of the consortium to administer
45 the New Jersey Sea Grant College Program and to continue to
46 implement the New Jersey's Master Plan on Marine Sciences. The
47 consortium shall have the responsibility, consistent with State and
48 federal law, to:

- 1 a. undertake long-range planning to develop cooperative
- 2 programs among member institutions through a solid Statewide
- 3 organizational structure and function as a vehicle to assist member
- 4 institutions individually and collectively;
- 5 b. promote and broker cooperative marine research, education,
- 6 and advisory services utilizing the pooled resources of member
- 7 institutions;
- 8 c. facilitate and organize research on problems of interest to
- 9 State and federal government agencies;
- 10 d. provide for the operation of field stations and laboratories
- 11 for research, education, and advisory services in all marine-related
- 12 disciplines;
- 13 e. organize and sponsor graduate and undergraduate studies in
- 14 all marine sciences;
- 15 f. provide facilities for research, instruction, and public service
- 16 for visiting researchers, organized groups, and students, and for
- 17 meetings, seminars, and workshops hosted to encourage dialogue
- 18 among scientists and stakeholders;
- 19 g. encourage preparation of peer-reviewed papers and scholarly
- 20 publications and provide for interpretation and dissemination of
- 21 research findings in a manner most beneficial to the State;
- 22 h. aid and encourage scholarly activities for research fellows
- 23 and others by organizing and sponsoring programs and providing
- 24 opportunities for basic and applied research;
- 25 i. assign membership dues and user fees for consortium
- 26 facilities;
- 27 j. administer research funds acquired from cooperative
- 28 programs through competitive grants and contracts;
- 29 k. develop a consortium mini-grant program to encourage new
- 30 researchers; and
- 31 l. serve as the recipient agency for transfers of real property
- 32 and offers of grants or equipment.
- 33
- 34 5. The board of trustees shall have the following powers:
- 35 a. to sue and be sued, including the right to recover all debts
- 36 owing and to retain legal counsel therefore, as provided for under
- 37 State law;
- 38 b. to actively seek and accept donations, bequests, or other
- 39 forms of financial assistance for educational purposes from any
- 40 public or private person or agency and comply with rules and
- 41 regulations governing grants from the federal government or any
- 42 other person or agency which are not in contravention of the
- 43 constitution and State law;
- 44 c. to purchase equipment, and to properly maintain, and make
- 45 improvements to facilities necessary for the use of the consortium
- 46 in accordance with applicable State laws;
- 47 d. to adopt, amend, or repeal rules and regulations necessary or
- 48 proper for the business of the consortium;

- 1 e. to affiliate with any institution giving any special course of
2 instruction, upon such terms as the board of trustees deems
3 expedient, which terms may include the retention by such
4 institution of the control of property, faculty, and staff;
- 5 f. to enter into contracts and agreements with other public
6 agencies with respect to cooperative enterprises and undertakings
7 relating to or associated with college or university purposes and
8 programs in accordance with applicable laws;
- 9 g. to perform such other functions as are necessary or incidental
10 to the supervision and management of the consortium;
- 11 h. to employ the proceeds of all donations, grants, subscriptions,
12 and bequests made to the consortium in accordance with the terms
13 and conditions of the donations, grants, subscriptions, and bequests;
- 14 i. to establish such subcommittees as may be necessary to assist
15 the board of trustees in the implementation of the provisions of this
16 act;
- 17 j. to adopt necessary rules and regulations regarding the hours
18 of employment and the accrual and use of sick leave and annual
19 leave for all personnel employed by the consortium; and
- 20 k. to enter into contracts and agreements with any public agency
21 for the establishment of State or other public offices on the property
22 and in the buildings belonging to or under the control of the
23 consortium. The board of trustees also may enter into contracts and
24 agreements for joint construction, equipment, maintenance, and
25 financing of the buildings, and enter into contracts and agreements
26 for the joint financing, supervision, and conduct of cooperative
27 enterprises and undertakings.

28

29 6. The State Treasurer and the six public trustees of the
30 consortium appointed by the Governor shall establish an executive
31 committee of the consortium. The executive committee shall serve
32 as the fiscal agent of the consortium and shall review and approve
33 the consortium's budget requests and operating budget and shall
34 review and approve all funds appropriately awarded or bequeathed
35 to the consortium. The executive committee shall prepare and
36 submit all budget requests and other budget documents required and
37 shall review and approve all payments made from federal, State,
38 private or other funds available to the consortium.

39

40 7. There is created an advisory committee to the consortium.
41 The advisory committee shall consist of 11 members, who shall
42 serve for terms of four years and shall serve until the appointment
43 of their successors except for the initial terms which shall be
44 staggered terms of two, three, and four years respectively as
45 determined by the Governor. The Commissioner of the Department
46 of Environmental Protection, the Commissioner of the Department
47 of Agriculture, the Commissioner of the Department of
48 Transportation, and the Secretary of the New Jersey Commerce,

1 Economic Growth and Tourism Commission shall each appoint one
2 member to the advisory committee. The Governor shall appoint,
3 with the advice and consent of the Senate, one member each from
4 the maritime industry, commercial fishing and aquaculture industry,
5 pharmaceutical industry, biotechnology industry, recreational
6 fishing interests, and environmental organizations. The Laboratory
7 Director of the James J. Howard Marine Science Laboratory of the
8 Northeast Fisheries Science Center, Sandy Hook Laboratory, or his
9 designee, shall also serve on the advisory committee.

10

11 8. a. There is established in the General Fund a special,
12 dedicated, non-lapsing account to be known as the "New Jersey
13 Marine Sciences Consortium Account," which shall be a dedicated
14 fund to serve as a depository for monies collected by the consortium
15 through grant funds, private contributions, awards, donations and
16 other sources as are available. The monies in the fund shall be
17 made available to the New Jersey Marine Sciences Consortium only
18 for the purposes set forth in this act.

19 b. The fund shall be credited with the existing funds of the
20 consortium and other funds to support the functions of the
21 consortium as they become available.

22

23 9. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill, if enacted, will provide statutory authorization for the
29 New Jersey Marine Sciences Consortium. The consortium, through
30 its partnership of institutions of higher education throughout the
31 State and in neighboring states, fosters the stewardship and wise use
32 of the region's coastal resources. The consortium also serves as the
33 managing agent of the New Jersey Sea Grant College Program and
34 will provide effective leadership in marine affairs in the State and
35 region.

36 The administration and conduct of the consortium will be vested
37 in a board of trustees. The board of trustees will consist of 22
38 voting members including: the Commissioner of the Department of
39 Environmental Protection, ex-officio, or his designee; the Executive
40 Director of the Commission on Higher Education, ex-officio, or his
41 designee; the State Treasurer, ex-officio, or his designee; the
42 Commissioner of the Department of Transportation, ex-officio, or
43 his designee; the Secretary of the New Jersey Commerce, Economic
44 Growth and Tourism Commission, ex-officio, or his designee; the
45 Laboratory Director of the James J. Howard Marine Sciences
46 Laboratory of the Northeast Fisheries Center of the Sandy Hook
47 Laboratory, ex-officio, or his designee; six members representing
48 institutions of higher education in the State, including one each

1 selected by the New Jersey Association of State Colleges and
2 Universities, Rutgers, The State University, the New Jersey
3 Institute of Technology, the New Jersey Council of County
4 Colleges, the Association of Independent Colleges and Universities
5 in New Jersey, and The University of Medicine and Dentistry of
6 New Jersey; and ten public trustees, including six trustees who will
7 be appointed by the Governor, two trustees who will be appointed
8 by the President of the Senate, and two trustees who will be
9 appointed by the Speaker of the General Assembly. Emeritus
10 trustees, who may serve as nonvoting members on the board, can be
11 elected to the board by the voting trustees.

12 The numerous powers and responsibilities of the consortium are
13 detailed in the bill. The bill also provides for the appointment of
14 the consortium's president and the establishment of an advisory
15 committee and an executive committee of the consortium.

16 This bill establishes within the General Fund the "New Jersey
17 Marine Sciences Consortium Account," which will be a dedicated
18 fund to serve as a depository for monies collected by the
19 consortium. This bill appropriates existing funds of the consortium
20 to this account.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 2537

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 14, 2007

The Senate Environment Committee favorably reports Senate Bill No. 2537 with committee amendments.

This bill would provide statutory authorization for the New Jersey Marine Sciences Consortium. The consortium, through its partnership of institutions of higher education throughout the State and in neighboring states, fosters the stewardship and wise use of the region's coastal resources. The consortium also serves as the managing agent of the New Jersey Sea Grant College Program and will provide leadership in marine affairs in the State and region.

The administration and conduct of the consortium will be vested in a board of trustees. As amended, the board of trustees will consist of 23 voting members including: the Commissioner of Environmental Protection, ex-officio, or a designee; the Executive Director of the Commission on Higher Education, ex-officio, or a designee; the State Treasurer, ex-officio, or a designee; the Commissioner of Transportation, ex-officio, or a designee; the Secretary of Agriculture, ex-officio, or a designee; the Chief Executive Officer and Secretary of the New Jersey Commerce, Economic Growth and Tourism Commission, ex-officio, or a designee; the Laboratory Director of the James J. Howard Marine Sciences Laboratory of the Northeast Fisheries Center of the Sandy Hook Laboratory, ex-officio, or a designee; six members representing institutions of higher education in the State, including one each selected by the New Jersey Association of State Colleges and Universities, Rutgers, The State University, the New Jersey Institute of Technology, the New Jersey Council of County Colleges, the Association of Independent Colleges and Universities in New Jersey, and The University of Medicine and Dentistry of New Jersey; and ten public trustees, including six trustees who will be appointed by the Governor, two trustees who will be appointed by the President of the Senate, and two trustees who will be appointed by the Speaker of the General Assembly. Emeritus trustees, who may serve as nonvoting members on the board, can be elected to the board by the voting trustees.

The numerous powers and responsibilities of the consortium are detailed in the bill. The bill also provides for the appointment of the

consortium's president and the establishment of an advisory committee and an executive committee of the consortium.

This bill establishes within the General Fund the "New Jersey Marine Sciences Consortium Account," which will be a dedicated fund to serve as a depository for monies collected by the consortium. This bill appropriates existing funds of the consortium to this account.

The committee amended the bill to add the Secretary of Agriculture to the board of trustees, and to make technical changes to the bill.

STATEMENT TO
[First Reprint]
SENATE, No. 2537

with Senate Floor Amendments
(Proposed By Senator KARCHER)

ADOPTED: JUNE 18, 2007

This floor amendment would add a representative of the New Jersey Council of Vocational Schools to the board of trustees of the New Jersey Marine Sciences Consortium.

ASSEMBLY, No. 4022

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED FEBRUARY 26, 2007

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblyman MICHAEL J. PANTER

District 12 (Mercer and Monmouth)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:

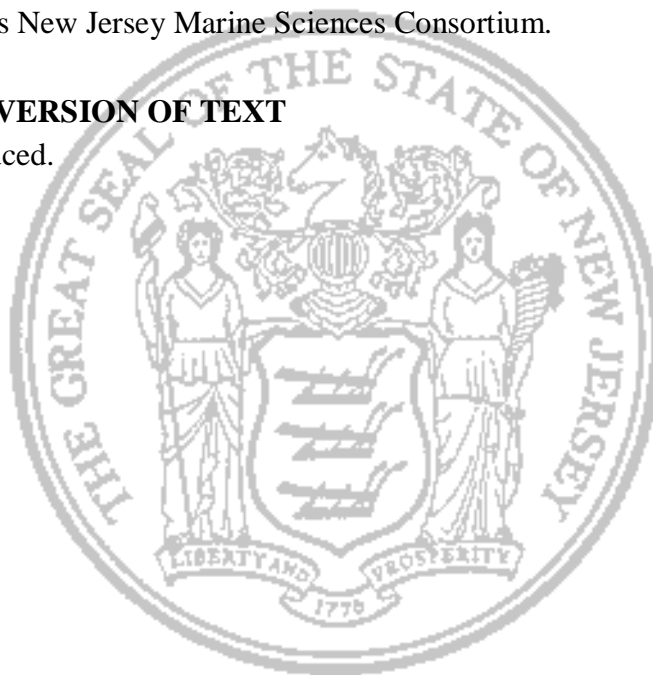
Assemblywomen Voss, Lampitt, Assemblymen Wolfe, Vas, Blee, Van Drew, Assemblywoman Cruz-Perez, Assemblymen Diegnan, Gordon and Assemblywoman Handlin

SYNOPSIS

Establishes New Jersey Marine Sciences Consortium.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2007)

1 AN ACT establishing the New Jersey Marine Sciences Consortium
2 and supplementing Title 52 of the New Jersey Statutes.

3

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

6

7 1. There is hereby established in but not of the Department of
8 Treasury a body corporate and politic to be known as the New
9 Jersey Marine Sciences Consortium, hereinafter referred to as the
10 consortium. The consortium, through its partnership of various
11 institutions of higher education throughout the State and in
12 neighboring states, shall seek as its principle purpose to foster the
13 stewardship and wise use of the region's coastal resources. The
14 consortium shall serve as the managing agent of the New Jersey Sea
15 Grant College Program and shall provide effective leadership in
16 marine affairs in the State and region by facilitating science
17 literacy, contributing solutions to coastal issues, contributing to
18 science-based policy and technology development, and promoting
19 sustainability through balanced economic growth and
20 environmental stewardship.

21

22 2. The administration and conduct of the consortium shall be
23 vested in a board of trustees. The board of trustees shall consist of
24 22 voting members as follows: the Commissioner of the Department
25 of Environmental Protection, ex-officio, or his designee; the
26 Executive Director of the Commission on Higher Education, ex-
27 officio, or his designee; the State Treasurer, ex-officio, or his
28 designee; the Commissioner of the Department of Transportation,
29 ex-officio, or his designee; the Secretary of the New Jersey
30 Commerce, Economic Growth and Tourism Commission, ex-
31 officio, or his designee; the Laboratory Director of the James J.
32 Howard Marine Sciences Laboratory of the Northeast Fisheries
33 Science Center, ex-officio, or his designee; six members
34 representing institutions of higher education in the State, including
35 one each selected by the New Jersey Association of State Colleges
36 and Universities, Rutgers, The State University, the New Jersey
37 Institute of Technology, the New Jersey Council of County
38 Colleges, the Association of Independent Colleges and Universities
39 in New Jersey, and the University of Medicine and Dentistry of
40 New Jersey; and 10 public trustees, including six trustees who shall
41 be appointed by the Governor, two trustees who shall be appointed
42 by the President of the Senate, and two trustees who shall be
43 appointed by the Speaker of the General Assembly. To the greatest
44 extent practicable, each of the public trustees shall be selected for
45 their expertise, training, and interest in regional economics and
46 business, marine transportation and harbor operations, ocean policy,
47 recreational and commercial fishing, marine recreation and tourism,
48 and other living marine resources. In addition to the 22 voting

1 members, the board of trustees may elect emeritus trustees, who
2 shall serve as nonvoting members on the board. The trustees
3 representing institutions of higher education and the public trustees
4 shall be appointed for terms of three years and shall serve until the
5 appointment of their successors, except for the initial terms which
6 shall be staggered terms of one, two, and three years respectively as
7 determined by the Governor. Members of the board shall serve
8 without compensation but may be reimbursed for necessary
9 expenses incurred in the performance of their duties.

10
11 3. a. The board of trustees shall meet annually on or before
12 April 30th and shall annually elect from among its members a
13 chairman and a vice-chairman who shall continue to serve until
14 their successors have been appointed.

15 b. The board of trustees shall appoint a president of the
16 consortium who shall also serve as the chief executive officer and
17 who shall be an ex-officio, nonvoting member of the board. The
18 president shall serve at the pleasure of the board and shall, with the
19 approval of the board and subject to the applicable laws, rules, and
20 regulations of the State, appoint and remove all professional,
21 research, technical, clerical, and stenographic employees of the
22 consortium. The compensation of the president shall be fixed by the
23 board. The president shall serve as secretary to the board, the
24 executive committee, and any additional committees appointed by
25 the board to assist in the implementation of the provisions of this
26 act.

27 c. On or before June 30th of each year, the president shall
28 submit a report of the activities of the consortium to the board of
29 trustees together with any additional information the board of
30 trustees may require.

31 d. A true copy of the minutes of every meeting of the board
32 shall be delivered to the Governor. No action taken at the meeting
33 by the board shall have force or effect until 10 days after the copy
34 of the minutes has been delivered. If in the 10-day period the
35 Governor returns the copy of the minutes with a veto of any action
36 taken by the board or any member thereof at the meeting, the action
37 shall be null and of no effect. If the Governor does not return the
38 minutes within the 10-day period, any action therein recited shall
39 have force and effect according to the wording thereof. At any time
40 prior to the expiration of the 10-day period, the Governor may sign
41 a statement of approval of any such action of the board, in which
42 case the approved action shall not thereafter be disapproved.

43
44 4. It shall be the responsibility of the consortium to administer
45 the New Jersey Sea Grant College Program and to continue to
46 implement the New Jersey's Master Plan on Marine Sciences. The
47 consortium shall have the responsibility, consistent with State and
48 federal law, to:

- 1 a. undertake long-range planning to develop cooperative
- 2 programs among member institutions through a solid Statewide
- 3 organizational structure and function as a vehicle to assist member
- 4 institutions individually and collectively;
- 5 b. promote and broker cooperative marine research, education,
- 6 and advisory services utilizing the pooled resources of member
- 7 institutions;
- 8 c. facilitate and organize research on problems of interest to
- 9 State and federal government agencies;
- 10 d. provide for the operation of field stations and laboratories
- 11 for research, education, and advisory services in all marine-related
- 12 disciplines;
- 13 e. organize and sponsor graduate and undergraduate studies in
- 14 all marine sciences;
- 15 f. provide facilities for research, instruction, and public service
- 16 for visiting researchers, organized groups, and students, and for
- 17 meetings, seminars, and workshops hosted to encourage dialogue
- 18 among scientists and stakeholders;
- 19 g. encourage preparation of peer-reviewed papers and scholarly
- 20 publications and provide for interpretation and dissemination of
- 21 research findings in a manner most beneficial to the State;
- 22 h. aid and encourage scholarly activities for research fellows
- 23 and others by organizing and sponsoring programs and providing
- 24 opportunities for basic and applied research;
- 25 i. assign membership dues and user fees for consortium
- 26 facilities;
- 27 j. administer research funds acquired from cooperative
- 28 programs through competitive grants and contracts;
- 29 k. develop a consortium mini-grant program to encourage new
- 30 researchers; and
- 31 l. serve as the recipient agency for transfers of real property
- 32 and offers of grants or equipment.
- 33
- 34 5. The board of trustees shall have the following powers:
- 35 a. to sue and be sued, including the right to recover all debts
- 36 owing and to retain legal counsel therefore, as provided for under
- 37 State law;
- 38 b. to actively seek and accept donations, bequests, or other
- 39 forms of financial assistance for educational purposes from any
- 40 public or private person or agency and comply with rules and
- 41 regulations governing grants from the federal government or any
- 42 other person or agency which are not in contravention of the
- 43 constitution and State law;
- 44 c. to purchase equipment, and to properly maintain, and make
- 45 improvements to facilities necessary for the use of the consortium
- 46 in accordance with applicable State laws;
- 47 d. to adopt, amend, or repeal rules and regulations necessary or
- 48 proper for the business of the consortium;

1 e. to affiliate with any institution giving any special course of
2 instruction, upon such terms as the board of trustees deems
3 expedient, which terms may include the retention by such
4 institution of the control of property, faculty, and staff;

5 f. to enter into contracts and agreements with other public
6 agencies with respect to cooperative enterprises and undertakings
7 relating to or associated with college or university purposes and
8 programs in accordance with applicable laws;

9 g. to perform such other functions as are necessary or
10 incidental to the supervision and management of the consortium;

11 h. to employ the proceeds of all donations, grants,
12 subscriptions, and bequests made to the consortium in accordance
13 with the terms and conditions of the donations, grants,
14 subscriptions, and bequests;

15 i. to establish such subcommittees as may be necessary to
16 assist the board of trustees in the implementation of the provisions
17 of this act;

18 j. to adopt necessary rules and regulations regarding the hours
19 of employment and the accrual and use of sick leave and annual
20 leave for all personnel employed by the consortium; and

21 k. to enter into contracts and agreements with any public
22 agency for the establishment of State or other public offices on the
23 property and in the buildings belonging to or under the control of
24 the consortium. The board of trustees also may enter into contracts
25 and agreements for joint construction, equipment, maintenance, and
26 financing of the buildings, and enter into contracts and agreements
27 for the joint financing, supervision, and conduct of cooperative
28 enterprises and undertakings.

29
30 6. The State Treasurer and the six public trustees of the
31 consortium appointed by the Governor shall establish an executive
32 committee of the consortium. The executive committee shall serve
33 as the fiscal agent of the consortium and shall review and approve
34 the consortium's budget requests and operating budget and shall
35 review and approve all funds appropriately awarded or bequeathed
36 to the consortium. The executive committee shall prepare and
37 submit all budget requests and other budget documents required and
38 shall review and approve all payments made from federal, State,
39 private or other funds available to the consortium.

40
41 7. There is created an advisory committee to the consortium.
42 The advisory committee shall consist of 11 members, who shall
43 serve for terms of four years and shall serve until the appointment
44 of their successors except for the initial terms which shall be
45 staggered terms of two, three, and four years respectively as
46 determined by the Governor. The Commissioner of the Department
47 of Environmental Protection, the Commissioner of the Department
48 of Agriculture, the Commissioner of the Department of

1 Transportation, and the Secretary of the New Jersey Commerce,
2 Economic Growth and Tourism Commission shall each appoint one
3 member to the advisory committee. The Governor shall appoint,
4 with the advice and consent of the Senate, one member each from
5 the maritime industry, commercial fishing and aquaculture industry,
6 pharmaceutical industry, biotechnology industry, recreational
7 fishing interests, and environmental organizations. The Laboratory
8 Director of the James J. Howard Marine Science Laboratory of the
9 Northeast Fisheries Science Center, Sandy Hook Laboratory, or his
10 designee, shall also serve on the advisory committee.

11

12 8. a. There is established in the General Fund a special,
13 dedicated, non-lapsing account to be known as the "New Jersey
14 Marine Sciences Consortium Account," which shall be a dedicated
15 fund to serve as a depository for monies collected by the consortium
16 through grant funds, private contributions, awards, donations and
17 other sources as are available. The monies in the fund shall be
18 made available to the New Jersey Marine Sciences Consortium only
19 for the purposes set forth in this act.

20 b. The fund shall be credited with the existing funds of the
21 consortium and other funds to support the functions of the
22 consortium as they become available.

23

24 9. This act shall take effect immediately.

25

26

27

STATEMENT

28

29 This bill, if enacted, provides statutory authorization for the New
30 Jersey Marine Sciences Consortium. The consortium, through its
31 partnership of institutions of higher education throughout the State
32 and in neighboring states, fosters the stewardship and wise use of
33 the region's coastal resources. The consortium also serves as the
34 managing agent of the New Jersey Sea Grant College Program and
35 will provide effective leadership in marine affairs in the State and
36 region.

37 The administration and conduct of the consortium will be vested
38 in a board of trustees. The board of trustees will consist of 22
39 voting members including: the Commissioner of the Department of
40 Environmental Protection, ex-officio, or his designee; the Executive
41 Director of the Commission on Higher Education, ex-officio, or his
42 designee; the State Treasurer, ex-officio, or his designee; the
43 Commissioner of the Department of Transportation, ex-officio, or
44 his designee; the Secretary of the New Jersey Commerce, Economic
45 Growth and Tourism Commission, ex-officio, or his designee; the
46 Laboratory Director of the James J. Howard Marine Sciences
47 Laboratory of the Northeast Fisheries Center of the Sandy Hook
48 Laboratory, ex-officio, or his designee; six members representing

1 institutions of higher education in the State, including one each
2 selected by the New Jersey Association of State Colleges and
3 Universities, Rutgers, The State University, the New Jersey
4 Institute of Technology, the New Jersey Council of County
5 Colleges, the Association of Independent Colleges and Universities
6 in New Jersey, and The University of Medicine and Dentistry of
7 New Jersey; and ten public trustees, including six trustees who will
8 be appointed by the Governor, two trustees who will be appointed
9 by the President of the Senate, and two trustees who will be
10 appointed by the Speaker of the General Assembly. Emeritus
11 trustees, who may serve as nonvoting members on the board, can be
12 elected to the board by the voting trustees.

13 The numerous powers and responsibilities of the consortium are
14 detailed in the bill. The bill also provides for the appointment of
15 the consortium's president and the establishment of an advisory
16 committee and an executive committee of the consortium.

17 This bill establishes within the General Fund the "New Jersey
18 Marine Sciences Consortium Account," which will be a dedicated
19 fund to serve as a depository for monies collected by the
20 consortium. This bill appropriates existing funds of the consortium
21 to this account.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4022

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2007

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 4022.

This bill would provide statutory authorization for the New Jersey Marine Sciences Consortium. The consortium, through its partnership of institutions of higher education throughout the State and in neighboring states, fosters the stewardship and wise use of the region's coastal resources. The consortium also serves as the managing agent of the New Jersey Sea Grant College Program and will provide leadership in marine affairs in the State and region.

The administration and conduct of the consortium will be vested in a board of trustees. As amended, the bill provides that the board of trustees will consist of 23 voting members including: the Commissioner of Environmental Protection, ex-officio, or a designee; the Executive Director of the Commission on Higher Education, ex-officio, or a designee; the State Treasurer, ex-officio, or a designee; the Commissioner of Transportation, ex-officio, or a designee; the Secretary of Agriculture, ex-officio, or a designee; the Chief Executive Officer and Secretary of the New Jersey Commerce, Economic Growth and Tourism Commission, ex-officio, or a designee; the Laboratory Director of the James J. Howard Marine Sciences Laboratory of the Northeast Fisheries Center of the Sandy Hook Laboratory, ex-officio, or a designee; six members representing institutions of higher education in the State, including one each selected by the New Jersey Association of State Colleges and Universities, Rutgers, The State University, the New Jersey Institute of Technology, the New Jersey Council of County Colleges, the Association of Independent Colleges and Universities in New Jersey, and The University of Medicine and Dentistry of New Jersey; and 10 public trustees, including six trustees who will be appointed by the Governor, two trustees who will be appointed by the President of the Senate, and two trustees who will be appointed by the Speaker of the General Assembly. Emeritus trustees, who may serve as nonvoting

members on the board, can be elected to the board by the voting trustees.

The numerous powers and responsibilities of the consortium are detailed in the bill. The bill also provides for the appointment of the consortium's president and the establishment of an advisory committee and an executive committee of the consortium.

This bill establishes within the General Fund the "New Jersey Marine Sciences Consortium Account," which will be a dedicated fund to serve as a depository for monies collected by the consortium. This bill credits existing funds of the consortium to this account.

As amended by the committee, this bill is identical to Senate Bill No. 2537 (1R).

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

- 1) add the Secretary of Agriculture to the board of trustees; and
- 2) make technical changes to the bill.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 4022

with Assembly Floor Amendments
(Proposed By Assemblyman GREENWALD)

ADOPTED: JUNE 21, 2007

This floor amendment would add a representative of the New Jersey Council of Vocational Schools to the board of trustees of the New Jersey Marine Sciences Consortium.