

13:18A-1

LEGISLATIVE HISTORY CHECKLIST
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(Pineland--council--officers)

NJSA: 13:18A-1

LAWS OF: 1995 **CHAPTER:** 272

BILL NO: A2066

SPONSOR(S): Bodine and others

DATE INTRODUCED: September 12, 1994

COMMITTEE: **ASSEMBLY:** Environment; Economic & Community Development
SENATE: Natural Resources

AMENDED DURING PASSAGE: Yes Assembly committee substitute (1R) enacted. Amendments denoted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** March 13, 1995
SENATE: October 19, 1995

DATE OF APPROVAL: December 8, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes 2-23-95 & 10-6-94
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

[FIRST REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2066

STATE OF NEW JERSEY

ADOPTED FEBRUARY 23, 1995

Sponsored by Assemblymen BODINE, ASSELTA, Geist,
Gaffney, Wolfe and Gibson

1 AN ACT concerning the Pinelands Municipal Council and
2 amending and supplementing P.L.1979, c.111 (C.13:18A-1 et
3 seq.).
4

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

7 1. Section 6.1 of P.L.1979, c.111 (C.13:18A-7) is amended to
8 read as follows:

9 6.1. a. There is hereby established a Pinelands Municipal
10 Council, the membership of which shall consist of the mayor, or
11 his designee, of each municipality located, in whole or in part,
12 within the pinelands area.

13 b. [A majority of the membership of the council shall
14 constitute a quorum for the transaction of council business.] (1)
15 Fifteen members of the council shall constitute a quorum for
16 the transaction of council business.¹ Action may be taken and
17 motions and resolutions adopted by the council at any meeting
18 thereof by the affirmative vote of a majority of [the full
19 membership] those members of the council in attendance.

20 (2) The council shall draft and adopt by-laws to govern the
21 proceedings of the council.

22 c. (1) The council shall meet [regularly as it may determine,
23 and shall also meet] at the call of the [chairman] chairperson of
24 the [commission] council or upon the concurrence of a majority of
25 the full membership of the council.

26 (2) Notice of the agenda for each meeting shall be mailed by
27 the chairperson to all members of the council at least seven
28 calendar days in advance of the date of the meeting .

29 d. The council shall appoint a ¹[chairman] chairperson¹ from
30 among its members and such other officers as may be necessary
31 [. The council may, within the limits of any funds appropriated or
32 otherwise made available to it for this purpose, appoint such staff
33 or hire such experts as it may require] until such time as
34 elections may be held therefor as provided pursuant to section 2
35 of P.L. , c. (C.) (now before the Legislature as this bill) .

36 e. (1) Members of the council shall serve without
37 compensation, and each member shall serve only as long as he is
38 the mayor or the designee of the mayor of the municipality he
39 represents. The council may, within the limits of funds
40 appropriated or otherwise made available for such purposes,
41 reimburse its members for necessary expenses incurred in the
42 discharge of their official duties.

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:

¹ Senate SNT committee amendments adopted June 22, 1995.

1 (2) The council may, within the limits of funds appropriated or
2 otherwise made available for such purposes, appoint such staff or
3 hire such experts as it may require.

4 f. The commission shall submit to the council, for review,
5 prior to final commission action thereon, the comprehensive
6 management plan, and any revisions thereto, including the
7 minimum standards for the adoption of municipal and county
8 plans and ordinances concerning the development and use of land
9 in the pinelands area. The commission may also submit to the
10 council any other matter [which] that the commission deems
11 advisable.

12 g. The council shall review all matters submitted to it by the
13 commission and shall state its position to the commission ¹and to
14 all members of the council¹ within 60 days of the submission
15 thereof.

16 h. The council may make recommendations to the commission
17 on any matters it deems advisable whether or not [such] the
18 matter was submitted to the council by the commission. ¹The
19 council shall mail to all members of the council any
20 recommendations made to the commission at the time that the
21 recommendations are submitted to the commission. Members of
22 the council may provide comments to the commission regarding
23 the recommendations.¹

24 (cf: P.L.1979, c.111, s.6.1)

25 2. (New section) a. The council shall annually elect from
26 among its members a chairperson, vice-chairperson, secretary,
27 and treasurer. The term of office for each of those offices shall
28 be one year, commencing April 1st and extending to March 31st
29 of the following year. If for any reason an officer of the council
30 is no longer a member of the council as defined pursuant to
31 subsection a. of section 6.1 of P.L.1979, c.111 (C.13:18A-7), the
32 officer shall be deemed to have resigned from the office as of the
33 date of loss of membership and the office shall be deemed
34 vacant. In the event of a vacancy in the office of the
35 chairperson, the vice-chairperson shall assume the duties of the
36 office of chairperson until the next annual election as provided in
37 subsection b. of this section. An incumbent officer shall be
38 eligible for re-election to the same or a different office, if
39 nominated.

40 b. Elections for the offices of chairperson, vice-chairperson,
41 secretary, and treasurer of the council shall be conducted each
42 year in the following manner:

43 (1) Between January 15th and January 25th, the chairperson of
44 the council shall notify by mail all members of the council that
45 they may submit nominations for the various offices on the
46 council. Nominations shall be accepted if received at the address
47 specified on the notice by February 10th.

48 (2) Ballots shall be prepared listing the nominations submitted
49 for the various offices and shall be mailed to all members of the
50 council by February 15th. Members of the council shall submit
51 their marked ballots by mail to the address specified on the
52 ballot. Only ballots postmarked by March 1st shall be accepted.
53 The ballots shall be counted, and the results of the election
54 announced, at a meeting of the council held not later than March

1 10th. For each office, the nominee on the ballot receiving the
2 most votes after all properly submitted marked ballots have been
3 counted shall be declared the winner.

4 (3) Notwithstanding the provisions of paragraphs (1) and (2) of
5 this subsection to the contrary, the election of officers first held
6 pursuant to the requirements of this section shall be conducted on
7 behalf of the council, and the ballots counted and results of the
8 election announced, by the Secretary of State; thereafter, each
9 such annual election shall be conducted by the council through its
10 officers as prescribed in this section.

11 3. This act shall take effect immediately except section 2
12 thereof shall take effect January 1st next following the date of
13 enactment.

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18 Revises law establishing Pinelands Municipal Council.

1 was submitted to the council by the commission.
2 (cf: P.L.1979, c. 111, s.6.1)
3 2. This act shall take effect immediately.

4
5
6 STATEMENT
7

8 This bill would change the number of members required for a
9 quorum of the Pinelands Municipal Council from a majority of
10 members to 15 members. The bill would also allow action to be
11 taken upon an affirmative vote of a majority of members
12 present. There are 53 members of the council.

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16
17 Alters number for quorum of Pinelands Municipal Council.

ASSEMBLY, No. 2066

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 12, 1994

By Assemblymen LoBIONDO, BODINE, Geist,
Gaffney, Wolfe and Gibson

1 AN ACT concerning the Pinelands Municipal Council and
2 amending P.L.1979, c.111.

3

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

6 1. Section 6.1 of P.L.1979, c.111 (C.13:18A-7) is amended to
7 read as follows:

8 6.1 a. There is hereby established a Pinelands Municipal
9 Council, the membership of which shall consist of the mayor, or
10 his designee, of each municipality located, in whole or in part,
11 within the pinelands area.

12 b. [A majority of the membership] Fifteen members of the
13 council shall constitute a quorum for the transaction of council
14 business. Action may be taken and motions and resolutions
15 adopted by the council at any meeting thereof by the affirmative
16 vote of a majority of the [full membership] members of the
17 council in attendance.

18 c. The council shall meet regularly as it may determine, and
19 shall also meet at the call of the chairman of the commission.

20 d. The council shall appoint a chairman from among its
21 members and such other officers as may be necessary. The
22 council may, within the limits of any funds appropriated or
23 otherwise made available to it for this purpose, appoint such staff
24 or hire such experts as it may require.

25 e. Members of the council shall serve without compensation,
26 and each member shall serve only as long as he is the mayor or
27 the designee of the mayor of the municipality he represents. The
28 council may, within the limits of funds appropriated or otherwise
29 made available for such purposes, reimburse its members for
30 necessary expenses incurred in the discharge of their official
31 duties.

32 f. The commission shall submit to the council, for review,
33 prior to final commission action thereon, the comprehensive
34 management plan, and any revisions thereto, including the
35 minimum standards for the adoption of municipal and county
36 plans and ordinances concerning the development and use of land
37 in the pinelands area. The commission may also submit to the
38 council any other matter which the commission deems advisable.

39 g. The council shall review all matters submitted to it by the
40 commission and shall state its position to the commission within
41 60 days of the submission thereof.

42 h. The council may make recommendations to the commission
43 on any matters it deems advisable whether or not such matter

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.

ASSEMBLY ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 2066

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1995

The Assembly Environment and Energy Committee favorably reports an Assembly committee substitute for Assembly Bill No. 2066.

The committee substitute would establish an annual election by mail-in ballot process for officers of the Pinelands Municipal Council. The term of office for each of the four officers, i.e., the chairperson, vice-chairperson, secretary, and treasurer, would be one year. Each member of the council would be eligible to cast a vote in the election. Current law provides that the membership of the council consists of the mayor, or the mayor's designee, of each municipality located in whole or in part within the pinelands area. There are 53 members of the council.

The committee substitute would also allow action to be taken at any meeting of the council by the affirmative vote of a majority of those members of the council in attendance. Notice of any meeting of the council would be mailed by the chairperson to the membership at least seven calendar days in advance of the date of the meeting. The council would be required to draft and adopt by-laws to govern its proceedings.

The committee substitute provides that the first election of officers under the new system prescribed by the legislation would be conducted by the Secretary of State. Thereafter, the election would be conducted by the council through its officers. The new system for election of officers would not take effect until January 1st next following the date of enactment of the legislation. Until that time, the council could appoint a chairman and other officers by action of a majority of the members in attendance at a council meeting that is called by the concurrence of a majority of the full membership of the council. The remainder of the legislation would take effect immediately.

ASSEMBLY ECONOMIC AND COMMUNITY DEVELOPMENT,
AGRICULTURE AND TOURISM COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2066

STATE OF NEW JERSEY

DATED: OCTOBER 6, 1994

The Assembly Economic and Community Development, Agriculture and Tourism Committee reports favorably Assembly Bill No. 2066.

As reported, this bill would change the number of members required for a quorum of the Pinelands Municipal Council from a majority of members to 15 members. The bill would also allow action to be taken upon an affirmative vote of a majority of the members present. There are 53 members of the council.

SENATE NATURAL RESOURCES, TRADE AND
ECONOMIC DEVELOPMENT COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2066

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 1995

The Senate Natural Resources, Trade and Economic Development Committee favorably reports Assembly, No. 2066 (ACS) with committee amendments.

The bill would establish an annual election by mail-in ballot process for officers of the Pinelands Municipal Council. The term of office for each of the four officers, i.e., the chairperson, vice-chairperson, secretary, and treasurer, would be one year. Each member of the council would be eligible to cast a vote in the election. Current law provides that the membership of the council consists of the mayor, or the mayor's designee, of each municipality located in whole or in part within the pinelands area. There are 53 members of the council.

The bill would allow action to be taken at any meeting of the council by the affirmative vote of a majority of those members of the council in attendance. Notice of any meeting of the council would be mailed by the chairperson to the membership at least seven calendar days in advance of the date of the meeting. The council would be required to draft and adopt by-laws to govern its proceedings.

The bill provides that the first election of officers under the new system prescribed by the legislation would be conducted by the Secretary of State. Thereafter, the election would be conducted by the council through its officers. The new system for election of officers would not take effect until January 1st next following the date of enactment of the legislation. Until that time, the council could appoint a chairperson and other officers by action of a majority of the members in attendance at a council meeting that is called by the concurrence of a majority of the full membership of the council. The remainder of the legislation would take effect immediately.

The committee amendments would impose a fifteen member quorum requirement for the transaction of council business. Also, the amendments require the council to notify all members of the council of any position taken in response to a submission by the pinelands commission, or of any recommendations made to the commission. The bill, with the proposed amendments, is identical to the Senate Committee Substitute for Senate, No. 1509, which was also favorably reported by the committee.