

58:1-8

LEGISLATIVE HISTORY CHECKLIST

NJSA 58:1-8

Laws of 1977 Chapter 269 (Water Policy & Supply Council--Conduct of Hearings)

Bill No. S1788

Sponsor(s) Russo & McGahn

Date Introduced Dec. 13, 1976

Committee: Assembly Environment & Natural Resources

Senate Energy & Environment

Amended during passage ~~Yes~~ No

Date of passage: Assembly Sept. 12, 1977

Senate Feb. 14, 1977

Date of approval October 20, 1977

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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SENATE, No. 1788

STATE OF NEW JERSEY

INTRODUCED DECEMBER 13, 1976

By Senators RUSSO and McGAHN

Referred to Committee on Energy and Environment

AN ACT concerning hearings before the Water Policy and Supply Council and amending R. S. 58:1-8.

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

1 1. R. S. 58:1-8 is amended to read as follows:  
2 58:1-8. The commision may conduct hearings by one or more of  
3 its members in place and stead of the full commission<sup>]</sup>, unless a  
4 party in interest appearing before the commission objects thereto<sup>]</sup>.  
5 When a hearing shall be so held by less than a majority of the  
6 members of the commission all testimony shall be taken steno-  
7 graphically and a transcribed copy thereof furnished each member  
8 of the commision. Thereafter the action of the commission upon  
9 the matter upon which the hearing was so held shall be as effective  
10 as though the hearing was held before the commission.

1 2. This act shall take effect immediately.

STATEMENT

This bill would allow the Water Policy and Supply Council in the Department of Environmental Protection to have all hearings conducted by one or more of its members. The transcripts of such hearings would then be forwarded to the full council for consideration.

Under the present system, a party may demand a hearing before a majority of the council members. Because of the size of the council, it is extremely difficult to obtain a quorum in every instance, thereby causing the parties to suffer needless delays in the final resolution of their matter. This bill would still require a majority of the council to act on the subject of a hearing, but eliminates the burdensome requirement of a council majority for each and every hearing.

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