

# 5:2A-3

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 240

**NJSA:** 5:2A-3 (Provides that the chairmanship of the State Athletic Control Board would be a part-time position)

**BILL NO:** S2149 (Substituted for A3645)

**SPONSOR(S):** Scutari and others

**DATE INTRODUCED:** December 13, 2004

**COMMITTEE:** **ASSEMBLY:** State Government  
**SENATE:** State Government

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** December 12, 2005

**SENATE:** March 14, 2005

**DATE OF APPROVAL:** December 15, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

**S2149**

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

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

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

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**A3645**

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

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

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**NEWSPAPER ARTICLES:**

No

IS 11/26/07

P.L. 2005, CHAPTER 240, *approved December 15, 2005*

Senate, No. 2149

1 AN ACT concerning the State Athletic Control Board and amending  
2 P.L.1985, c.83 and P.L.1974, c.55.

3

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

6

7 1. Section 3 of P.L.1985, c.83 (C.5:2A-3 ) is amended to read as  
8 follows:

9 3. a. There is created and established within the Department of  
10 Law and Public Safety a State Athletic Control Board. The board  
11 shall consist of three public members appointed by the Governor with  
12 the advice and consent of the Senate for terms of three years, except  
13 that of the three members first appointed, one shall be appointed for  
14 a term of one year, one for a term of two years and one for a term of  
15 three years. One of the members shall be designated by the Governor  
16 as chairman of the board at the time of the member's appointment, and  
17 shall serve as chairman during the member's entire term of office and  
18 until a successor is duly appointed and qualified. The initial chairman  
19 shall be the member appointed to a term of three years. No more than  
20 two of the members shall be of the same political party. Members shall  
21 serve until their successors are appointed and have been qualified. The  
22 terms of their successors shall be calculated from the expiration of the  
23 incumbents' terms. Any vacancy in the membership of the board other  
24 than by expiration of term shall be filled in the same manner as the  
25 original appointment but for the unexpired term only.

26 b. Each member of the board may be removed from office by the  
27 Governor for cause. Each member of the board before entering upon  
28 his duties shall take and subscribe an oath to perform the duties of his  
29 office faithfully, impartially and justly to the best of the member's  
30 ability. A record of these oaths shall be filed in the offices of the  
31 Secretary of State and the Attorney General.

32 c. **[**The chairman of the board shall devote his entire time to the  
33 duties of the board and shall not engage in any occupation, profession  
34 or other gainful employment. The chairman shall be compensated  
35 pursuant to section 2 of P.L.1974, c.55 (C.52:14-15.108).**]** The **[**two  
36 other**]** members of the board shall receive an annual salary of  
37 \$10,000.00**[,] and** shall be reimbursed for actual expenses incurred  
38 in the performance of their responsibilities **[and]**. The members of the  
39 board shall not be eligible for membership in any State-administered  
40 retirement system.

41 d. The powers of the board shall be vested in the members thereof

**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.**

1 in office from time to time, and two members of the board shall  
2 constitute a quorum at any meeting thereof. Action may be taken and  
3 motions and resolutions adopted by the board at any meeting thereof  
4 by the affirmative vote of at least two members of the board. No  
5 vacancy in the membership of the board shall impair the right of a  
6 quorum to exercise all powers and perform all duties of the board.  
7 (cf: P.L.2001, c.397, s.1)

8  
9 2. Section 2 of P.L.1974, c.55 (C.52:14-15.108) is amended to  
10 read as follows:

11 2. The salary ranges for the following positions shall be as  
12 established by the Department of Personnel with the approval of the  
13 Director, Division of Budget and Accounting. The salary rate for any  
14 such position shall be the salary step in such range next above the  
15 salary currently being paid; provided, however, that any sums  
16 appropriated for salaries may be made available for salary adjustments  
17 therein arising from various exigencies of the State service and for  
18 normal merit salary increments as the Commissioner of Personnel, the  
19 State Treasurer and the Director of the Division of Budget and  
20 Accounting shall determine; and provided, further, that nothing in this  
21 act shall reduce the salary rate for any such position below that which  
22 is being paid on the effective date of this act:

23 Personnel Department  
24 Chief Examiner and Secretary  
25 Community Affairs Department  
26 Assistant Commissioner of Community Affairs  
27 Director, Division of State and Regional Planning  
28 Director, Division of Local Government Services  
29 Director, Division of Housing and Urban Renewal  
30 Director, Office of Aging Programs  
31 Director, Office on Women  
32 Environmental Protection Department  
33 Director, Division of Water Resources  
34 Director, Division of Parks and Forestry  
35 Director of Fish, Game and Shell Fisheries  
36 Director, Division of Marine Services  
37 Director, Division of Environmental Quality  
38 Health and Senior Services Department  
39 Director, Division, of Narcotic and Drug Abuse Control  
40 Corrections Department  
41 Chairman, State Parole Board  
42 Associate Member, State Parole Board  
43 Public Defender  
44 Labor Department  
45 Director, Workplace Standards  
46 Law and Public Safety Department

1 Colonel and Superintendent, State Police  
2 Director, Division of Motor Vehicles  
3 State Medical Examiner  
4 Director, Division of Alcoholic Beverage Control  
5 State Superintendent of Weights and Measures  
6 **[Chairman, State Athletic Control Board]**  
7 Public Utilities Department  
8 Director, Office of Cable Television  
9 Executive Director, Public Broadcasting  
10 State Department  
11 Transportation Department  
12 Assistant Commissioner for Highways  
13 Assistant Commissioner for Public Transportation  
14 Treasury Department  
15 Director, Division of Budget and Accounting  
16 Director, Division of Taxation  
17 Director, Division of Purchase and Property  
18 Director, Division of Pensions and Benefits  
19 Director, Division of State Lottery.  
20 (cf: P.L. 2001, c.397, s.2)

21

22 3. This act shall take effect immediately.

23

24

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STATEMENT

26

27 The State Athletic Control Board within the Department of Law  
28 and Public Safety consists of three public members appointed by the  
29 Governor with the advice and consent of the Senate. Pursuant to  
30 P.L.2001, c.397, the chairmanship of the Athletic Control Board is a  
31 full-time position. According to "Fitzgerald's Legislative Manual,"  
32 the chairman's salary is \$65,000 per year.

33 Prior to the 2001 enactment, the chairmanship, like the other two  
34 memberships on the Board, was a part-time position paying \$10,000  
35 per year.

36 This bill would restore the chairmanship to a part-time position  
37 paying \$10,000 per year.

38

39

40

41

42 Provides that the chairmanship of the State Athletic Control Board  
43 would be a part-time position.

# SENATE, No. 2149

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED DECEMBER 13, 2004

**Sponsored by:**

**Senator NICHOLAS SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Assemblywoman LINDA STENDER**

**District 22 (Middlesex, Somerset and Union)**

**Assemblyman JERRY GREEN**

**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

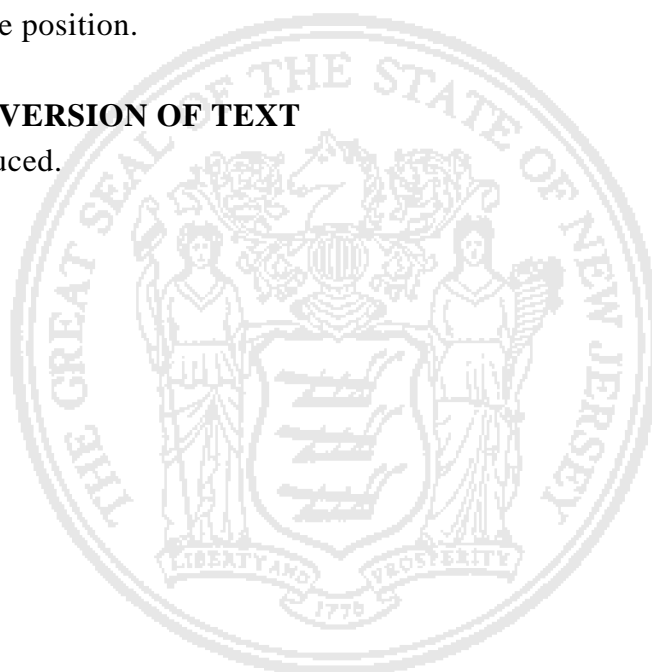
**Senators Lesniak and Karcher**

**SYNOPSIS**

Provides that the chairmanship of the State Athletic Control Board would be a part-time position.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/13/2005)**

S2149 SCUTARI

2

1 AN ACT concerning the State Athletic Control Board and amending  
2 P.L.1985, c.83 and P.L.1974, c.55.

3

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

6

7 1. Section 3 of P.L.1985, c.83 (C.5:2A-3 ) is amended to read as  
8 follows:

9 3. a. There is created and established within the Department of  
10 Law and Public Safety a State Athletic Control Board. The board  
11 shall consist of three public members appointed by the Governor with  
12 the advice and consent of the Senate for terms of three years, except  
13 that of the three members first appointed, one shall be appointed for  
14 a term of one year, one for a term of two years and one for a term of  
15 three years. One of the members shall be designated by the Governor  
16 as chairman of the board at the time of the member's appointment, and  
17 shall serve as chairman during the member's entire term of office and  
18 until a successor is duly appointed and qualified. The initial chairman  
19 shall be the member appointed to a term of three years. No more than  
20 two of the members shall be of the same political party. Members shall  
21 serve until their successors are appointed and have been qualified. The  
22 terms of their successors shall be calculated from the expiration of the  
23 incumbents' terms. Any vacancy in the membership of the board other  
24 than by expiration of term shall be filled in the same manner as the  
25 original appointment but for the unexpired term only.

26 b. Each member of the board may be removed from office by the  
27 Governor for cause. Each member of the board before entering upon  
28 his duties shall take and subscribe an oath to perform the duties of his  
29 office faithfully, impartially and justly to the best of the member's  
30 ability. A record of these oaths shall be filed in the offices of the  
31 Secretary of State and the Attorney General.

32 c. [The chairman of the board shall devote his entire time to the  
33 duties of the board and shall not engage in any occupation, profession  
34 or other gainful employment. The chairman shall be compensated  
35 pursuant to section 2 of P.L.1974, c.55 (C.52:14-15.108).] The [two  
36 other] members of the board shall receive an annual salary of  
37 \$10,000.00[,] and shall be reimbursed for actual expenses incurred  
38 in the performance of their responsibilities [and]. The members of the  
39 board shall not be eligible for membership in any State-administered  
40 retirement system.

41 d. The powers of the board shall be vested in the members thereof  
42 in office from time to time, and two members of the board shall

**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.**

**S2149 SCUTARI**

1 constitute a quorum at any meeting thereof. Action may be taken and  
2 motions and resolutions adopted by the board at any meeting thereof  
3 by the affirmative vote of at least two members of the board. No  
4 vacancy in the membership of the board shall impair the right of a  
5 quorum to exercise all powers and perform all duties of the board.  
6 (cf: P.L.2001, c.397, s.1)

7

8 2. Section 2 of P.L.1974, c.55 (C.52:14-15.108) is amended to  
9 read as follows:

10 2. The salary ranges for the following positions shall be as  
11 established by the Department of Personnel with the approval of the  
12 Director, Division of Budget and Accounting. The salary rate for any  
13 such position shall be the salary step in such range next above the  
14 salary currently being paid; provided, however, that any sums  
15 appropriated for salaries may be made available for salary adjustments  
16 therein arising from various exigencies of the State service and for  
17 normal merit salary increments as the Commissioner of Personnel, the  
18 State Treasurer and the Director of the Division of Budget and  
19 Accounting shall determine; and provided, further, that nothing in this  
20 act shall reduce the salary rate for any such position below that which  
21 is being paid on the effective date of this act:

22 Personnel Department  
23 Chief Examiner and Secretary  
24 Community Affairs Department  
25 Assistant Commissioner of Community Affairs  
26 Director, Division of State and Regional Planning  
27 Director, Division of Local Government Services  
28 Director, Division of Housing and Urban Renewal  
29 Director, Office of Aging Programs  
30 Director, Office on Women  
31 Environmental Protection Department  
32 Director, Division of Water Resources  
33 Director, Division of Parks and Forestry  
34 Director of Fish, Game and Shell Fisheries  
35 Director, Division of Marine Services  
36 Director, Division of Environmental Quality  
37 Health and Senior Services Department  
38 Director, Division, of Narcotic and Drug Abuse Control  
39 Corrections Department  
40 Chairman, State Parole Board  
41 Associate Member, State Parole Board  
42 Public Defender  
43 Labor Department  
44 Director, Workplace Standards  
45 Law and Public Safety Department  
46 Colonel and Superintendent, State Police



**S2149 SCUTARI**

4

1 Director, Division of Motor Vehicles  
2 State Medical Examiner  
3 Director, Division of Alcoholic Beverage Control  
4 State Superintendent of Weights and Measures  
5 **[Chairman, State Athletic Control Board]**  
6 Public Utilities Department  
7 Director, Office of Cable Television  
8 Executive Director, Public Broadcasting  
9 State Department  
10 Transportation Department  
11 Assistant Commissioner for Highways  
12 Assistant Commissioner for Public Transportation  
13 Treasury Department  
14 Director, Division of Budget and Accounting  
15 Director, Division of Taxation  
16 Director, Division of Purchase and Property  
17 Director, Division of Pensions and Benefits  
18 Director, Division of State Lottery.  
19 (cf: P.L. 2001, c.397, s.2)

20

21 3. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 The State Athletic Control Board within the Department of Law  
27 and Public Safety consists of three public members appointed by the  
28 Governor with the advice and consent of the Senate. Pursuant to  
29 P.L.2001, c.397, the chairmanship of the Athletic Control Board is a  
30 full-time position. According to "Fitzgerald's Legislative Manual,"  
31 the chairman's salary is \$65,000 per year.

32 Prior to the 2001 enactment, the chairmanship, like the other two  
33 memberships on the Board, was a part-time position paying \$10,000  
34 per year.

35 This bill would restore the chairmanship to a part-time position  
36 paying \$10,000 per year.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 2149**

**STATE OF NEW JERSEY**

DATED: MARCH 7, 2005

The Senate State Government Committee reports favorably Senate, No. 2149.

The State Athletic Control Board within the Department of Law and Public Safety consists of three public members appointed by the Governor with the advice and consent of the Senate. Pursuant to N.J.S.A.5:2A-3, the chairmanship of the Athletic Control Board is a full-time position.

This bill returns the chairmanship to a part-time position paying \$10,000 per year. According to "Fitzgerald's Legislative Manual," the current (full-time) chairman's salary is \$65,000 per year.

This bill is identical to Assembly, No. 3645.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 2149**

**STATE OF NEW JERSEY**

DATED: MAY 19, 2005

The Assembly State Government Committee reports favorably Senate, No. 2149.

The State Athletic Control Board within the Department of Law and Public Safety consists of three public members appointed by the Governor with the advice and consent of the Senate. Since 2001, the chairmanship of the Athletic Control Board has been a full-time position. This bill returns the chairmanship to a part-time position paying \$10,000, which is the annual salary of the other two board members. According to "Fitzgerald's Legislative Manual," the chairman's salary is currently \$65,000 per year.

Senate, No. 2149 is the same as Assembly, No. 3645.

# ASSEMBLY, No. 3645

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## STATE OF NEW JERSEY

### 211th LEGISLATURE

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INTRODUCED JANUARY 10, 2005

**Sponsored by:**

**Assemblywoman LINDA STENDER**

**District 22 (Middlesex, Somerset and Union)**

**Assemblyman JERRY GREEN**

**District 22 (Middlesex, Somerset and Union)**

**SYNOPSIS**

Provides that the chairmanship of the State Athletic Control Board would be a part-time position.

**CURRENT VERSION OF TEXT**

As introduced.



A3645 STENDER, GREEN

2

1 AN ACT concerning the State Athletic Control Board and amending  
2 P.L.1985, c.83 and P.L.1974, c.55.

3

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19 shall be the member appointed to a term of three years. No more than  
20 two of the members shall be of the same political party. Members shall  
21 serve until their successors are appointed and have been qualified. The  
22 terms of their successors shall be calculated from the expiration of the  
23 incumbents' terms. Any vacancy in the membership of the board other  
24 than by expiration of term shall be filled in the same manner as the  
25 original appointment but for the unexpired term only.

26 b. Each member of the board may be removed from office by the  
27 Governor for cause. Each member of the board before entering upon  
28 his duties shall take and subscribe an oath to perform the duties of his  
29 office faithfully, impartially and justly to the best of the member's  
30 ability. A record of these oaths shall be filed in the offices of the  
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40 retirement system.

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42 in office from time to time, and two members of the board shall

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18 State Treasurer and the Director of the Division of Budget and  
19 Accounting shall determine; and provided, further, that nothing in this  
20 act shall reduce the salary rate for any such position below that which  
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22 Personnel Department  
23 Chief Examiner and Secretary  
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25 Assistant Commissioner of Community Affairs  
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27 Director, Division of Local Government Services  
28 Director, Division of Housing and Urban Renewal  
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30 Director, Office on Women  
31 Environmental Protection Department  
32 Director, Division of Water Resources  
33 Director, Division of Parks and Forestry  
34 Director of Fish, Game and Shell Fisheries  
35 Director, Division of Marine Services  
36 Director, Division of Environmental Quality  
37 Health and Senior Services Department  
38 Director, Division, of Narcotic and Drug Abuse Control  
39 Corrections Department  
40 Chairman, State Parole Board  
41 Associate Member, State Parole Board  
42 Public Defender  
43 Labor Department  
44 Director, Workplace Standards  
45 Law and Public Safety Department  
46 Colonel and Superintendent, State Police

A3645 STENDER, GREEN

4

1 Director, Division of Motor Vehicles  
2 State Medical Examiner  
3 Director, Division of Alcoholic Beverage Control  
4 State Superintendent of Weights and Measures  
5 [Chairman, State Athletic Control Board]  
6 Public Utilities Department  
7 Director, Office of Cable Television  
8 Executive Director, Public Broadcasting  
9 State Department  
10 Transportation Department  
11 Assistant Commissioner for Highways  
12 Assistant Commissioner for Public Transportation  
13 Treasury Department  
14 Director, Division of Budget and Accounting  
15 Director, Division of Taxation  
16 Director, Division of Purchase and Property  
17 Director, Division of Pensions and Benefits  
18 Director, Division of State Lottery.  
19 (cf: P.L.2001, c.397, s.2)

20

21 3. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 The State Athletic Control Board within the Department of Law  
27 and Public Safety consists of three public members appointed by the  
28 Governor with the advice and consent of the Senate. Pursuant to  
29 P.L.2001, c.397, the chairmanship of the Athletic Control Board is a  
30 full-time position. According to "Fitzgerald's Legislative Manual,"  
31 the chairman's salary is \$65,000 per year.

32 Prior to the 2001 enactment, the chairmanship, like the other two  
33 memberships on the Board, was a part-time position paying \$10,000  
34 per year.

35 This bill would restore the chairmanship to a part-time position  
36 paying \$10,000 per year.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3645**

**STATE OF NEW JERSEY**

DATED: MAY 19, 2005

The Assembly State Government Committee reports favorably Assembly, No. 3645.

The State Athletic Control Board within the Department of Law and Public Safety consists of three public members appointed by the Governor with the advice and consent of the Senate. Since 2001, the chairmanship of the Athletic Control Board has been a full-time position. This bill returns the chairmanship to a part-time position paying \$10,000, which is the annual salary of the other two board members. According to "Fitzgerald's Legislative Manual," the chairman's salary is currently \$65,000 per year.

Assembly, No. 3645 is the same as Senate, No. 2149.