

ASSEMBLY, No. 2705

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Authorizes temporary members to fill certain vacancies on Fish and Game Council.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/20/2020)

1 **AN ACT** concerning membership of the Fish and Game Council and
2 amending P.L.1948, c.448.

3

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

6

7 1. Section 26 of P.L.1948, c.448 (C.13:1B-24) is amended to
8 read as follows:

9 26. There shall be within the Division of Fish **【, Game】** and
10 Wildlife, a Fish and Game Council which shall consist of 11
11 members, each of whom shall be chosen with due regard to his
12 knowledge of and interest in the conservation of fish and game.
13 Each member of the council shall be appointed by the Governor,
14 with the advice and consent of the Senate. Three of such members
15 shall be farmers, recommended to the Governor for appointment to
16 the council by the agricultural convention held pursuant to **【the**
17 **provisions of article 2 of chapter 1 of Title 4 of the Revised**
18 **Statutes】** R.S.4:1-5 ; six of such members shall be sportsmen,
19 recommended to the Governor for appointment to the council by the
20 New Jersey State Federation of Sportsmen's Clubs; one of such
21 members shall be the chairman of the committee established
22 pursuant to section 7 of **【the "Endangered】** “The Endangered and
23 Nongame Species Conservation **【Act”** (P.L.1973, c.309; C.23:2A-
24 **7)】** Act,” P.L.1973, c.309 (C.23:2A-7) , and one of such members
25 shall be a person knowledgeable in land use management and soil
26 conservation practices. One of such farmer representatives and two
27 of such sportsmen representatives in the council shall be chosen
28 from among residents of any of the following counties--Bergen,
29 Essex, Hudson, Morris, Passaic, Sussex and Warren; one of such
30 farmer representatives and two of such sportsmen representatives in
31 the council shall be chosen from among residents of any of the
32 following counties--Hunterdon, Mercer, Middlesex, Monmouth,
33 Ocean, Somerset and Union; and one of such farmer representatives
34 and two of such sportsmen representatives shall be chosen from
35 among residents of any of the following counties--Atlantic,
36 Burlington, Camden, Cape May, Cumberland, Gloucester and
37 Salem.

38 Each member of the council shall be appointed for a term of **【4】**
39 four years and shall serve until his successor has been appointed
40 and has qualified.
41 (cf: P.L.1979, c.199, s.72)

42

43 2. Section 28 of P.L.1948, c.448 (C.13:1B-26) is amended to
44 read as follows:

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 28. a. Each Governor shall designate one of the members of the
2 council as chairman of such council. Any member of the council so
3 designated shall serve as such chairman at the pleasure of the
4 Governor designating him and until his successor has been
5 designated. The chairman of the council shall be its presiding
6 officer.

7 b. Any vacancies in the membership of said council occurring
8 other than by expiration of term shall be filled in the same manner
9 as the original appointment but for the unexpired term only.
10 Notwithstanding the provisions of this section or section 26 of
11 P.L.1948, c.448 (C.13:1B-24) to the contrary, in the event of a
12 vacancy for a farmer representative occurring other than by
13 expiration of term, a temporary farmer representative may be
14 chosen to fill that vacancy until a farmer representative is selected
15 at the next agricultural convention held pursuant to R.S.4:1-5 for
16 recommendation to the Governor for appointment, and the
17 recommended farmer representative is appointed by the Governor,
18 with the advice and consent of the Senate. The temporary farmer
19 representative shall be: (1) a farmer chosen by the President, in
20 consultation with the Vice President, of the State Board of
21 Agriculture; (2) a resident of and represent the same counties as the
22 previous holder of the vacant position; and (3) a past member of the
23 council who served pursuant to section 26 of P.L.1948, c.448
24 (C.13:1B-24) or a past member of the State Board of Agriculture
25 who served pursuant to R.S.4:1-4, provided, however, that in no
26 case shall the temporary farmer representative have been removed
27 from office for cause pursuant to this section or section 3 of
28 P.L.1948, c.447 (C.4:1-4.1), as applicable.

29 c. Any member of the council may be removed from office by
30 the Governor, for cause, upon notice and opportunity to be heard.

31 d. The members of the council shall serve without
32 compensation but shall be reimbursed for necessary expenses
33 incurred in the performance of their duties.

34 e. No person who has been appointed a member of the council
35 for two successive terms, including an unexpired term, shall again
36 be eligible for that office for four years next following the
37 expiration of his second successive term , except that a person who
38 previously served as a farmer representative may fill a temporary
39 vacancy for a farmer representative occurring other than by
40 expiration of term until a farmer representative may be selected for
41 appointment by the agricultural convention held pursuant to
42 R.S.4:1-5 and the recommended farmer representative is appointed
43 by the Governor, with the advice and consent of the Senate .
44 (cf: P.L.1948, c.448, s.28)

45
46 3. This act shall take effect immediately.

STATEMENT

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3 The bill would amend the law designating the membership of the
4 Fish and Game Council (council) to provide an alternate means to
5 fill a vacancy for a farmer representative on the council. Currently,
6 the council consists of 11 members, including three farmers
7 appointed by the Governor, with the advice and consent of the
8 Senate. These farmer representatives are recommended to the
9 Governor for appointment to the council by the State agricultural
10 convention held pursuant to law once each year. Thus, if a vacancy
11 occurs, it cannot be filled until a new farmer representative is
12 selected at the next State agricultural convention and that person is
13 appointed by the Governor, with the advice and consent of the
14 Senate.

15 This bill would allow, in the event of a vacancy for a farmer
16 representative occurring other than by expiration of term, a
17 temporary member to be chosen to serve as that farmer
18 representative until a new farmer representative can be selected for
19 recommendation to the Governor for appointment at the next State
20 agricultural convention and the recommended farmer representative
21 is appointed by the Governor, with the advice and consent of the
22 Senate. The temporary farmer representative would be: (1) a
23 farmer chosen by the President, in consultation with the Vice
24 President, of the State Board of Agriculture; (2) a resident of and
25 represent the same counties as the previous holder of the vacant
26 position; and (3) a past member of the council or a past member of
27 the State Board of Agriculture, who had not been removed from
28 office for cause.

29 This bill is intended to ensure that farmers remain represented on
30 the council even in the event of a vacancy in one of the appointed
31 representative positions.