

CHAPTER 132

AN ACT concerning the membership of the Board of Public Utilities, amending R.S.48:2-1 and P.L.1948, c.90 and supplementing chapter 2 of Title 48 of the Revised Statutes.

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

1. R.S.48:2-1 is amended to read as follows:

Board of Public Utilities continued; membership; terms.

48:2-1. a. The Board of Public Utilities, named pursuant to Reorganization Plan No. 001-1994, effective on July 4, 1994, and allocated in, but not of, the Department of the Treasury pursuant to that plan, is continued and is designated as the Board of Public Utilities or the "board."

b. The board shall consist of five citizens of this State who shall devote their entire time to the duties of the board and shall not engage in any occupation, profession or other gainful employment.

c. Members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for terms of six years. The terms of office of the members of the board shall continue until their successors are appointed and qualified. No person shall act as a member of the board until that person's appointment has been confirmed by the Senate. Not more than three of the members of the board shall be members of the same political party. All vacancies, except through the expiration of term, shall be filled for the unexpired term only.

2. Section 2 of P.L.1948, c.90 (C.48:2-1.1) is amended to read as follows:

C.48:2-1.1 Designation of president of board.

2. The Governor shall designate one of the members of the Board of Public Utilities as president of the board. Any member of the board so designated shall serve as the president at the pleasure of the Governor making that designation and until a successor has been designated. The president of the board shall be its presiding officer and the chief administrative officer of the Board of Public Utilities. The other members of the board shall be eligible to appointment to fill a vacancy in the office of president of the board.

3. Notwithstanding the provisions of R.S.48:2-40 to the contrary, two members of the board shall constitute a majority of the board until such time as a fourth member of the board is appointed by the Governor and confirmed by the Senate, at which time three members of the board shall constitute a majority of the board. Upon the appointment and confirmation of a fifth member of the board, the provisions of R.S.48:2-40 shall be applicable.

4. This act shall take effect immediately.

Approved June 29, 2001.