

## CHAPTER 59

AN ACT establishing the position of State Oceanographer, supplementing Title 13 of the Revised Statutes, and amending P.L.2007, c.288.

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

C.13:19-46 State Oceanographer.

1. a. The Governor shall, with the advice and consent of the Senate, appoint a State Oceanographer, who shall be a resident of the State with expertise in oceanography. The State Oceanographer shall serve for a term of five years, or until a successor is appointed, and may be reappointed. The State Oceanographer shall provide advice and assistance, when requested, to the Governor, the Legislature, and the various departments and agencies of State government on issues involving the ocean, and serve as a member of the New Jersey Coastal and Ocean Protection Council established pursuant to section 3 of P.L.2007, c.288 (C.13:19-36).

b. On or before April 1 of each year, the State Oceanographer shall prepare and transmit an annual report for the preceding calendar year to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature. The annual report shall detail the activities of the State Oceanographer in the preceding calendar year, and the developments in the State in ocean observation, research, and prediction.

c. The State Oceanographer shall serve without compensation, but shall be entitled to the actual and necessary expenses incurred in the performance of the duties of the position pursuant to this section, within the limits of funds appropriated or made available therefor.

2. Section 3 of P.L.2007, c.288 (C.13:19-36) is amended to read as follows:

C.13:19-36 New Jersey Coastal and Ocean Protection Council.

3. a. There is established in the Department of Environmental Protection the New Jersey Coastal and Ocean Protection Council.

b. The council shall consist of nine members as follows:

(1) the Commissioner of Environmental Protection, or the commissioner's designee, who shall serve ex officio;

(2) the Chief Executive Officer of the New Jersey Economic Development Authority, or the chief executive officer's designee, who shall serve ex officio;

(3) the Executive Director of the Division of Travel and Tourism in the New Jersey Commerce Commission, or the executive director's designee, who shall serve ex officio;

(4) the State Oceanographer, who shall serve ex officio; and

(5) five public members to be appointed by the Governor with the advice and consent of the Senate for four-year terms, except that of those first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years and two for a term of four years. Of the public members: one shall be a representative of the commercial fishing industry, representing the range of commercial fisheries in the State, including shellfish and finfish fisheries and fisheries in State and federal waters; one shall be a representative of the recreational fishing industry, representing the range of recreational fisheries in the State, including the hook and line and the party and charter boat fishing industry; one shall be a representative of an environmental organization with expertise, knowledge, or experience in coastal or ocean ecosystems and habitat; one shall be a representative of a public interest group with expertise, knowledge, or experience in coastal or ocean ecosystems and habitat; and one shall be a representative of a non-profit

organization with expertise, knowledge, or experience in habitat protection and land preservation.

c. Any vacancy in the membership shall be filled in the same manner as the original appointment.

d. The members of the council shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available to the council for its purposes.

e. The council shall be entitled to the assistance and service of the employees of any State, county or municipal department, board, bureau, commission, authority, or agency as it may require and as may be available to it for its purposes, and to employ stenographic and clerical assistance and to incur traveling or other miscellaneous expenses as may be necessary in order to perform its duties, within the limits of funds appropriated or otherwise made available to it for its purposes. The department shall provide primary staff support to the council.

f. The council shall organize as soon as possible after the appointment of its members and shall annually elect a chairperson from among its members, and a secretary who need not be a member of the council. The council shall meet at the call of the chairperson or the Commissioner of Environmental Protection or when requested by any four members of the council.

g. A majority of the membership of the council shall constitute a quorum for the transaction of council business.

h. The members of the council shall be subject to the "New Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.).

i. The council shall be subject to the provisions of the "Senator Byron M. Baer Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).

j. A true copy of the minutes of every meeting of the council shall be prepared and made available to the public. The minutes shall also be made available on the department's Internet website.

3. This act shall take effect immediately.

Approved November 2, 2016.