

# ASSEMBLY, No. 3817

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 23, 2016

**Sponsored by:**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Assemblywoman Gove and Assemblyman Rumpf**

**SYNOPSIS**

Provides for representation of certain regions of State on New Jersey Turnpike Authority.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/3/2016)**

1 AN ACT concerning the New Jersey Turnpike Authority and  
2 amending P.L.1948, c.454.

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.1948, c.454 (C.27:23-3) is amended to read  
8 as follows:

9 3. New Jersey Turnpike Authority. (A) There is hereby  
10 established in the **[State]** Department of Transportation a body  
11 corporate and politic, with corporate succession, to be known as the  
12 "New Jersey Turnpike Authority." The authority is hereby  
13 constituted an instrumentality exercising public and essential  
14 governmental functions, and the exercise by the authority of the  
15 powers conferred by **[this act]** P.L.1948, c.454 (C.27:23-1 et seq.)  
16 in the acquisition, construction, operation, improvement,  
17 management, repair, and maintenance of transportation projects or  
18 any part thereof shall be deemed and held to be an essential  
19 governmental function of the State.

20 (B) The New Jersey Turnpike Authority shall consist of eight  
21 members, as follows: the Commissioner of Transportation, ex  
22 officio, or **[his]** the commissioner's designee; five members  
23 appointed by the Governor, with the advice and consent of the  
24 Senate, and two members appointed by the Governor, one upon  
25 recommendation of the President of the Senate and the other upon  
26 recommendation of the Speaker of the General Assembly, each of  
27 whom shall be a resident of the State and shall have been a  
28 qualified elector therein for a period of at least one year next  
29 preceding **[his]** the member's appointment. Of the appointed  
30 members, at least one shall be a resident of Atlantic County, Cape  
31 May County, or Ocean County; at least one shall be a resident of  
32 Burlington County, Camden County, Gloucester County, or Salem  
33 County; at least one shall be a resident of Mercer County,  
34 Middlesex County, or Monmouth County; and at least one shall be a  
35 resident of Bergen County, Essex County, Hudson County, Union  
36 County, or Passaic County. Each appointed member of the  
37 authority shall serve for a term of five years and until **[his]** the  
38 member's successor is appointed and has qualified; except that of  
39 the first appointments hereunder, one shall be for a term of two  
40 years and one for a term of three years, and they shall serve until  
41 their respective successors are appointed and have qualified. The  
42 term of each of the first appointees hereunder shall be designated by  
43 the Governor. Each appointed member of the authority may be  
44 removed from office by the Governor, for cause, after a public  
45 hearing. Each member of the authority before entering upon **[his]**

**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 the member's duties shall take and subscribe an oath to perform the  
2 duties of **his** the member's office faithfully, impartially, and  
3 justly to the best of **his** the member's ability. A record of **such**  
4 the oaths shall be filed in the office of the Secretary of State. Any  
5 vacancies in the appointed membership of the authority occurring  
6 other than by expiration of term shall be filled in the same manner  
7 as the original appointment, but for the unexpired term only.

8 (C) The Governor shall designate one of the members of the  
9 authority as chairman thereof and another member as vice chairman  
10 thereof. The chairman and vice chairman of the authority so  
11 designated shall serve as such at the pleasure of the Governor and  
12 until their respective successors have been designated. The  
13 authority shall elect a secretary and a treasurer who need not be  
14 members. At the option of the authority the same person may be  
15 elected to serve both as secretary and treasurer. Five members of  
16 the authority shall constitute a quorum and the vote of five members  
17 shall be necessary for any action taken by the authority. No  
18 vacancy in the membership of the authority shall impair the right of  
19 a quorum to exercise all the rights and perform all the duties of the  
20 authority.

21 (D) Each member of the authority shall execute a surety bond in  
22 the penal sum of \$25,000.00 and the treasurer shall execute a surety  
23 bond in the penal sum of \$50,000.00, each such surety bond to be  
24 conditioned upon the faithful performance of the duties of the office  
25 of such member or treasurer, as the case may be, to be executed by  
26 a surety company authorized to transact business in the State of  
27 New Jersey as surety and to be approved by the Attorney General  
28 and filed in the office of the Secretary of State.

29 (E) The members of the authority shall not receive compensation  
30 for their services as members of the authority. Each member shall  
31 be reimbursed by the authority for **his** the member's actual  
32 expenses necessarily incurred in the performance of **his** the  
33 member's duties. Notwithstanding the provisions of any other law,  
34 no member shall be deemed to have forfeited, nor shall the member  
35 forfeit, the member's office or employment or any benefits or  
36 emoluments thereof by reason of the member's acceptance of the  
37 office of ex officio member of the authority or the member's  
38 services therein.

39 (F) No resolution or other action of the authority providing for  
40 the issuance of bonds, refunding bonds, or other obligations or for  
41 the fixing, revising, or adjusting of tolls for the use of any  
42 transportation project or parts or sections thereof shall be adopted  
43 or otherwise made effective by the authority without the prior  
44 approval in writing of the Governor and at least one of the  
45 following: the State Treasurer and the Director of the Division of  
46 Budget and Accounting in the Department of the Treasury. A true  
47 copy of the minutes of every meeting of the authority shall be  
48 forthwith delivered by and under the certification of the secretary

1 thereof, to the Governor. No action taken at **[such]** a meeting **[by]**  
2 of the authority shall have force or effect until 10 days, exclusive of  
3 Saturdays, Sundays, and public holidays, after **[such]** a copy of the  
4 minutes shall have been so delivered. If, in **[said]** that 10-day  
5 period, the Governor returns **[such]** the copy of the minutes with  
6 veto of any action taken by the authority or any member thereof at  
7 **[such]** the meeting **[such]** the action shall be null and of no effect.  
8 The Governor may approve all or part of the action taken at **[such]**  
9 the meeting prior to **[said]** that 10-day period. The powers  
10 conferred in this subsection (F) upon the Governor, the State  
11 Treasurer, and the Director of the Division of Budget and  
12 Accounting in the Department of the Treasury shall be exercised  
13 with due regard for the rights of the holders of bonds of the  
14 authority at any time outstanding, and nothing in, or done pursuant  
15 to, this subsection (F) shall in any way limit, restrict, or alter the  
16 obligation or powers of the authority or any representative or officer  
17 of the authority to carry out and perform in every detail each and  
18 every covenant, agreement, or contract at any time made or entered  
19 into by or on behalf of the authority with respect to its bonds or for  
20 the benefit, protection, or security of the holders thereof.

21 (G) The ex officio member of the authority may designate an  
22 employee of **[his]** the ex officio member's department to represent  
23 **[him]** the member at meetings of the authority. A designee may  
24 lawfully vote and otherwise act on behalf of the member for whom  
25 he constitutes the designee. The designations shall be in writing  
26 and delivered to the authority and shall be effective until revoked or  
27 amended by a writing delivered to the authority.

28 (cf: P.L.2003, c.79, s.6)

29

30 2. This act shall take effect immediately and shall apply to  
31 members of the authority appointed on or after the effective date of  
32 this act.

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#### 35 STATEMENT

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37 This bill provides that of the appointed members of the New  
38 Jersey Turnpike Authority at least one shall be a resident of Atlantic  
39 County, Cape May County, or Ocean County; at least one shall be a  
40 resident of Burlington County, Camden County, Gloucester County,  
41 or Salem County; at least one shall be a resident of Mercer County,  
42 Middlesex County, or Monmouth County; and at least one shall be a  
43 resident of Bergen County, Essex County, Hudson County, Union  
44 County, or Passaic County. The bill only applies to members of the  
45 authority appointed after its enactment into law.