

[First Reprint]

**SENATE, No. 1674**

---

**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

---

INTRODUCED FEBRUARY 16, 2016

**Sponsored by:**

**Senator JEFF VAN DREW**

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

**Senator CHRISTOPHER J. CONNORS**

**District 9 (Atlantic, Burlington and Ocean)**

**Co-Sponsored by:**

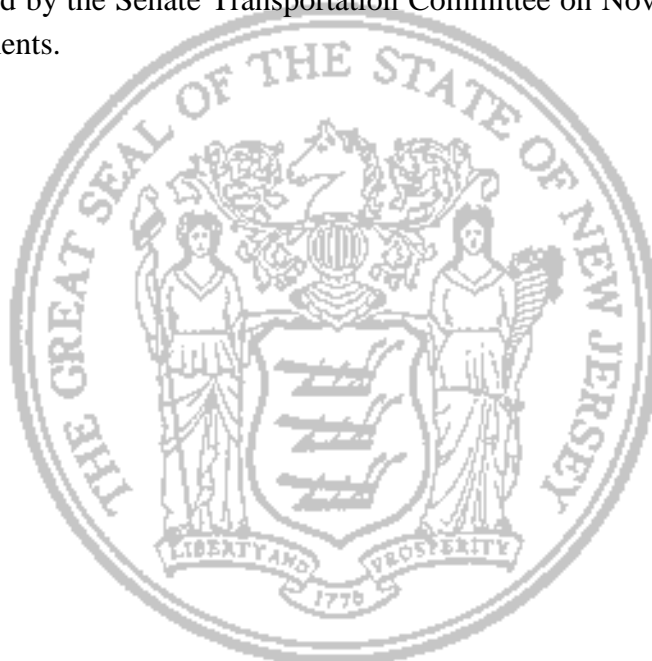
**Senator Allen**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Senate Transportation Committee on November 3, 2016, with amendments.



**(Sponsorship Updated As Of: 1/24/2017)**

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

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate STR committee amendments adopted November 3, 2016.

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

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

22 (D) Each member of the authority shall execute a surety bond in  
23 the penal sum of **1[\$25,000.00]** \$25,000<sup>1</sup> and the treasurer shall  
24 execute a surety bond in the penal sum of **1[\$50,000.00]** \$50,000<sup>1</sup>,  
25 each such surety bond to be conditioned upon the faithful  
26 performance of the duties of the office of such member or treasurer,  
27 as the case may be, to be executed by a surety company authorized  
28 to transact business in the State of New Jersey as surety and to be  
29 approved by the Attorney General and filed in the office of the  
30 Secretary of State.

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

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

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

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

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

32

33 2. This act shall take effect immediately and shall apply to  
34 members of the authority appointed on or after the effective date of  
35 this act.