

[Second 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 amended by the Senate on January 23, 2017.



(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, ²**[Cape**
31 **May County, or Ocean County; at least one shall be a resident of**
32 **Burlington County, Camden County, Gloucester County]**
33 **Burlington County, Camden County, Cape May County, Gloucester**
34 **County, Ocean County**², or Salem County; at least one shall be a
35 resident of Mercer County, Middlesex County, or Monmouth
36 County; and at least one shall be a resident of Bergen County, Essex
37 County, Hudson County, Union County, or Passaic County. Each
38 appointed member of the authority shall serve for a term of five
39 years and until **[his]** the member's successor is appointed and has
40 qualified; except that of the first appointments hereunder, one shall
41 be for a term of two years and one for a term of three years, and
42 they shall serve until their respective successors are appointed and
43 have qualified. The term of each of the first appointees hereunder
44 shall be designated by the Governor. Each appointed member of

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:

¹Senate STR committee amendments adopted November 3, 2016.

²Senate floor amendments adopted January 23, 2017.

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

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

24 (D) Each member of the authority shall execute a surety bond in
25 the penal sum of ¹~~[\$25,000.00]~~ \$25,000¹ and the treasurer shall
26 execute a surety bond in the penal sum of ¹~~[\$50,000.00]~~ \$50,000¹,
27 each such surety bond to be conditioned upon the faithful
28 performance of the duties of the office of such member or treasurer,
29 as the case may be, to be executed by a surety company authorized
30 to transact business in the State of New Jersey as surety and to be
31 approved by the Attorney General and filed in the office of the
32 Secretary of State.

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

43 (F) No resolution or other action of the authority providing for
44 the issuance of bonds, refunding bonds, or other obligations or for
45 the fixing, revising, or adjusting of tolls for the use of any
46 transportation project or parts or sections thereof shall be adopted
47 or otherwise made effective by the authority without the prior
48 approval in writing of the Governor and at least one of the

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

26 (G) The ex officio member of the authority may designate an
27 employee of **[his]** the ex officio member's department to represent
28 **[him]** the member at meetings of the authority. A designee may
29 lawfully vote and otherwise act on behalf of the member for whom
30 **'[he]** the member¹ constitutes the designee. The designations shall
31 be in writing and delivered to the authority and shall be effective
32 until revoked or amended by a writing delivered to the authority.

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

34

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