

# ASSEMBLY, No. 5627

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 17, 2019

**Sponsored by:**

Assemblywoman **ELIANA PINTOR MARIN**

District 29 (Essex)

Assemblywoman **NANCY F. MUNOZ**

District 21 (Morris, Somerset and Union)

Assemblywoman **ANGELA V. MCKNIGHT**

District 31 (Hudson)

**Co-Sponsored by:**

Assemblywomen **B.DeCroce, Schepisi, Murphy and Downey**

**SYNOPSIS**

Grants authority for human resource management of employees of the New Jersey Schools Development Authority to Civil Service Commission.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/21/2019)

1 AN ACT concerning human resource management for employees of  
2 the New Jersey Schools Development Authority, and amending  
3 P.L.2007, c.137.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 4 of P.L.2007, c.137 (C.52:18A-238) is amended to  
9 read as follows:

10 4. The development authority shall have the following powers:

11 a. To adopt bylaws for the regulation of its affairs and the  
12 conduct of its business;

13 b. To adopt and have a seal and to alter the same at pleasure;

14 c. To sue and be sued;

15 d. To acquire in the name of the development authority by  
16 purchase or otherwise, on such terms and conditions and such  
17 manner as it may deem proper, or by the exercise of the power of  
18 eminent domain in the manner provided by the "Eminent Domain  
19 Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.), any lands or  
20 interests therein or other property which it may determine is  
21 reasonably necessary for any school facilities project;

22 e. To enter into contracts with a person upon such terms and  
23 conditions as the development authority shall determine to be  
24 reasonable, including, but not limited to, for the planning, design,  
25 construction, reconstruction, improvement, equipping, furnishing,  
26 operation and maintenance of a school facilities project and the  
27 reimbursement thereof, and to pay or compromise any claims  
28 arising therefrom;

29 f. To sell, convey or lease to any person all or any portion of  
30 its property, for such consideration and upon such terms as the  
31 development authority may determine to be reasonable;

32 g. To mortgage, pledge or assign or otherwise encumber all or  
33 any portion of any property or revenues, whenever it shall find such  
34 action to be in furtherance of the purposes of P.L.2000, c.72  
35 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

36 h. To grant options to purchase or renew a lease for any of its  
37 property on such terms as the development authority may determine  
38 to be reasonable;

39 i. To contract for and to accept any gifts or grants or loans of  
40 funds or property or financial or other aid in any form from the  
41 United States of America or any agency or instrumentality thereof,  
42 or from the State or any agency, instrumentality or political  
43 subdivision thereof, or from any other source and to comply,  
44 subject to the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) and

**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 P.L.2007, c.137 (C.52:18A-235 et al.), with the terms and  
2 conditions thereof;

3 j. In connection with any application for assistance under  
4 P.L.2000, c.72 (C.18A:7G-1 et al.) or P.L.2007, c.137 (C.52:18A-  
5 235 et al.) or commitments therefor, to require and collect such fees  
6 and charges as the development authority shall determine to be  
7 reasonable;

8 k. To adopt, amend and repeal regulations to carry out the  
9 provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) and P.L.2007,  
10 c.137 (C.52:18A-235 et al.);

11 l. To acquire, purchase, manage and operate, hold and dispose  
12 of real and personal property or interests therein, take assignments  
13 of rentals and leases and make and enter into all contracts, leases,  
14 agreements and arrangements necessary or incidental to the  
15 performance of its duties;

16 m. To purchase, acquire and take assignments of notes,  
17 mortgages and other forms of security and evidences of  
18 indebtedness;

19 n. To purchase, acquire, attach, seize, accept or take title to any  
20 property by conveyance or by foreclosure, and sell, lease, manage  
21 or operate any property for a use specified in P.L.2000, c.72  
22 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

23 o. To employ consulting engineers, architects, attorneys, real  
24 estate counselors, appraisers, and such other consultants and  
25 employees as may be required in the judgment of the development  
26 authority to carry out the purposes of P.L.2000, c.72 (C.18A:7G-1  
27 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.) and to fix and pay  
28 their compensation from funds available to the development  
29 authority therefor, all without regard to the provisions of Title 11A  
30 of the New Jersey Statutes; except that the Civil Service  
31 Commission shall exercise authority over human resource  
32 management for such employees, which shall include, but not be  
33 limited to, the process for hiring the employees and terminating  
34 their employment, and orienting, training, counseling, and  
35 appraising the employees, and pursuant to which authority the Civil  
36 Service Commission shall adopt regulations in accordance with the  
37 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
38 seq.);

39 p. To do and perform any acts and things authorized by  
40 P.L.2000, c.72 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-  
41 235 et al.) under, through or by means of its own officers, agents  
42 and employees, or by contract with any person;

43 q. To procure insurance against any losses in connection with  
44 its property, operations or assets in such amounts and from such  
45 insurers as it deems desirable;

46 r. To do any and all things necessary or convenient to carry out  
47 its purposes and exercise the powers given and granted in P.L.2000,  
48 c.72 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

1 s. To construct, reconstruct, rehabilitate, improve, alter, equip,  
2 maintain or repair or provide for the construction, reconstruction,  
3 improvement, alteration, equipping or maintenance or repair of any  
4 property and lot, award and enter into construction contracts,  
5 purchase orders and other contracts with respect thereto, upon such  
6 terms and conditions as the development authority shall determine  
7 to be reasonable, including, but not limited to, reimbursement for  
8 the planning, designing, construction, reconstruction, improvement,  
9 equipping, furnishing, operation and maintenance of any such  
10 property and the settlement of any claims arising therefrom;

11 t. To undertake school facilities projects and to enter into  
12 agreements or contracts, execute instruments, and do and perform  
13 all acts or things necessary, convenient or desirable for the purposes  
14 of the development authority to carry out any power expressly  
15 provided pursuant to P.L.2000, c.72 (C.18A:7G-1 et al.) or  
16 P.L.2007, c.137 (C.52:18A-235 et al.), including, but not limited to,  
17 entering into contracts with the State Treasurer, the New Jersey  
18 Economic Development Authority, the Commissioner of Education,  
19 districts, and any other entity which may be required in order to  
20 carry out the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) or  
21 P.L.2007, c.137 (C.52:18A-235 et al.);

22 u. To enter into leases, rentals or other disposition of a real  
23 property interest in and of any school facilities project to or from  
24 any local unit pursuant to P.L.2000, c.72 (C.18A:7G-1 et al.) or  
25 P.L.2007, c.137 (C.52:18A-235 et al.);

26 v. To make and contract to make loans or leases to local units  
27 to finance the cost of school facilities projects and to acquire and  
28 contract to acquire bonds, notes or other obligations issued or to be  
29 issued by local units to evidence the loans or leases, all in  
30 accordance with the provisions of P.L.2000, c.72 (C.18A:7G-1 et  
31 al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

32 w. To charge to and collect from local units, the State, and any  
33 other person, any fees and charges in connection with the  
34 development authority's actions undertaken with respect to school  
35 facilities projects including, but not limited to, fees and charges for  
36 the development authority's administrative, organization, insurance,  
37 operating and other expenses incident to the planning, design,  
38 construction and placing into service and maintenance of school  
39 facilities projects.

40 (cf: P.L.2007, c.137, s.4)

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42 2. This act shall take effect on January 1 next following  
43 enactment.

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STATEMENT

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48 This bill grants authority for human resource management of

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1 employees of the New Jersey Schools Development Authority to  
2 Civil Service Commission. The bill grants to the Civil Service  
3 Commission authority over the process for hiring the employees  
4 and for terminating their employment, and orienting, training,  
5 counseling, and appraising the employees.