SENATE, No. 3744

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED MAY 16, 2019

Sponsored by:
Senator CHRIS A. BROWN
District 2 (Atlantic)
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District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:
Senators Gopal, Greenstein and Singleton

SYNOPSIS

Requires preservation of employee benefits and contractual rights as condition of sale of Atlantic City International Airport.

CURRENT VERSION OF TEXT

As introduced.

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

AN ACT concerning certain South Jersey Transportation Authority employee benefits and amending P.L.1991, c.252.

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

1. Section 24 of P.L.1991, c.252 (C.27:25A-24) is amended to read as follows:

24. a. There is established a transportation project, which shall consist of an airport and related facilities and activities. The airport, which shall be known as the "Atlantic City International Airport," shall consist of such lands and improvements as the authority may acquire in Egg Harbor, Hamilton, and Galloway townships, county of Atlantic, including but not limited to the lands and improvements to be acquired from the city of Atlantic City and lands and improvements which may be acquired from the Federal Aviation Administration. The airport shall include but not be limited to any area, place, building, structure, equipment, material, supplies, or real property designed to provide or be used in, or necessarily related to, the provision of air passenger or freight service and the stations, shelters and terminals, heliports, gates, terminal aprons, runways, taxiways, air rights, baggage facilities, parking facilities, ramps, track connections, signal systems, power systems, public highways, noise abatement projects, information and communication systems, transit lines and rights-of-way, equipment storage and servicing facilities, aircraft, maintenance and garage facilities, revenue handling equipment, and any other building, structure, equipment, materials, supplies, or real property employed or used in, or necessarily related to, the provision of these services.

b. The authority may enter into contracts, leases, or agreements with any agency or instrumentality of the federal government, a bi-state agency, the State, or any subdivision thereof, or a county or municipal government, including but not limited to the United States Department of Transportation Federal Aviation Administration, concerning the acquisition, construction, maintenance, operation, or support of this project.

c. The authority may enter into agreements with surrounding municipalities for reimbursement to these municipalities for costs incurred as a result of services provided by these municipalities to the Atlantic City International Airport.

d. Notwithstanding section 10 of P.L.2011, c.18 (C.5:12-224), or any other law, rule, or regulation to the contrary, if the authority transfers, by sale or lease, all or any part of its interest in the Atlantic City International Airport and any other lands 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.

improvements that the authority has acquired pursuant to this section, or delegates or otherwise transfers responsibility for the management or performance of operations conducted or services provided at Atlantic City International Airport facilities, the authority shall provide that the conditions of the sale, lease, delegation, or other transfer shall not deprive any officers or employees of the authority of the rights, privileges, or obligations that they enjoyed prior to that sale, lease, delegation, or other transfer. The officers and employees shall retain all of their rights and benefits under existing collective negotiation agreements or contracts until such time as new or revised agreements or contracts are agreed to or until existing agreements or contracts expire. Any sale, lease, delegation, or other transfer to any agency or instrumentality of the State, or to any political subdivision of the State or any agency or instrumentality of such subdivision, shall not affect the civil service status, if any, of those officers or employees or their status or pension credits with respect to any pension or retirement system. Any accumulated employee benefits, including, but not limited to, sick, vacation, or administrative leave, of each South Jersey Transportation Authority employee whose employment is transferred to another entity, public or private, in relation to the sale or lease of the Atlantic City International Airport, or the delegation or other transfer of management or operating responsibility with respect thereto, shall be carried over to the employee's position with the entity to which the sale, lease, delegation, or other transfer is made. All existing employee representatives shall be retained to act on behalf of those employees until such time as the employees shall, pursuant to law, elect to change those representatives.

(cf: P.L.1991, c.252, s.24)

2. This act shall take effect immediately.

STATEMENT

This bill provides that, if the South Jersey Transportation Authority (SJTA) sells or leases any of its interest in or delegates responsibility for the management of operations of the Atlantic City International Airport (airport), the SJTA is to provide that the conditions of the sale, lease, or delegation are not to deprive any officers or employees of the SJTA of their rights concerning pension and retirement benefits, benefits under existing collective negotiation agreements, and their civil service status, if applicable.

The bill provides that any accumulated employee benefits, including, but not limited to, sick, vacation, or administrative leave, and pension credits of SJTA employees whose employment is transferred to another entity that has been delegated airport

operations or has purchased or leased the airport, are to be carried over to the employee's position with the new entity.

Finally, the bill provides that all existing employee representatives are to be retained to act on behalf of SJTA employees affected by the sale, lease, or delegation of airport operations until such time as the employees elect to change those representatives.