

# SENATE, No. 191

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## STATE OF NEW JERSEY 219th LEGISLATURE

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator CHRISTOPHER J. CONNORS**

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

**Co-Sponsored by:**

**Senator Brown**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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

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 oath to perform the duties of **【his】** the member's office faithfully,  
2 impartially, and justly to the best of **【his】** the member's ability. A  
3 record of **【such】** the oaths shall be filed in the office of the  
4 Secretary of State. Any vacancies in the appointed membership of  
5 the authority occurring other than by expiration of term shall be  
6 filled in the same manner as the original appointment, but for the  
7 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】** \$25,000 and the treasurer shall  
23 execute a surety bond in the penal sum of **【\$50,000.00】** \$50,000,  
24 each such surety bond to be conditioned upon the faithful  
25 performance of the duties of the office of such member or treasurer,  
26 as the case may be, to be executed by a surety company authorized  
27 to transact business in the State of New Jersey as surety and to be  
28 approved by the Attorney General and filed in the office of the  
29 Secretary of State.

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

40 (F) No resolution or other action of the authority providing for  
41 the issuance of bonds, refunding bonds, or other obligations or for  
42 the fixing, revising, or adjusting of tolls for the use of any  
43 transportation project or parts or sections thereof shall be adopted  
44 or otherwise made effective by the authority without the prior  
45 approval in writing of the Governor and at least one of the  
46 following: the State Treasurer and the Director of the Division of  
47 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 the  
18 obligation or powers of the authority or any representative or officer  
19 of the authority to carry out and perform in every detail each and  
20 every covenant, agreement, or contract at any time made or entered  
21 into by or on behalf of the authority with respect to its bonds or for  
22 the benefit, protection, or security of the holders thereof.  
23 (G) The ex officio member of the authority may designate an  
24 employee of **[his]** the ex officio member's department to represent  
25 **[him]** the member at meetings of the authority. A designee may  
26 lawfully vote and otherwise act on behalf of the member for whom  
27 **[he]** the member constitutes the designee. The designations shall be  
28 in writing and delivered to the authority and shall be effective until  
29 revoked or amended by a writing delivered to the authority.  
30 (cf: P.L.2003, c.79, s.6)

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

#### 35 36 37 STATEMENT

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