

SENATE, No. 1566

STATE OF NEW JERSEY

INTRODUCED OCTOBER 3, 1996

By Senator RICE

1 AN ACT concerning the New Jersey Turnpike Authority and amending
2 P.L.1948, c.454.

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

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7 1. Section 3 of P.L.1948, c.454 (C.27:23-3) is amended to read as
8 follows:

9 (A) There is hereby established in the State Department of
10 Transportation a body corporate and politic, with corporate
11 succession, to be known as the "New Jersey Turnpike Authority." The
12 authority is hereby constituted an instrumentality exercising public and
13 essential governmental functions, and the exercise by the authority of
14 the powers conferred by this act in the acquisition, construction,
15 operation and maintenance of turnpike projects or any part thereof
16 shall be deemed and held to be an essential governmental function of
17 the State.

18 (B) The New Jersey Turnpike Authority shall consist of ~~[six]~~ eight
19 members, as follows: the Commissioner of Transportation, ex officio,
20 or his designee; and ~~[five]~~ seven members appointed by the Governor,
21 with the advice and consent of the Senate, each of whom shall be a
22 resident of the State and shall have been a qualified elector therein for
23 a period of at least one year next preceding his appointment. The two
24 additional members appointed pursuant to this act, and their
25 successors, shall be of different major political parties. Each
26 appointed member of the authority shall serve for a term of five years
27 and until his successor is appointed and has qualified; except that of
28 the first appointments hereunder, one shall be for a term of two years
29 and one for a term of three years, and they shall serve until their
30 respective successors are appointed and have qualified. The term of
31 each of the first appointees hereunder shall be designated by the
32 Governor. Each appointed member of the authority may be removed
33 from office by the Governor, for cause, after a public hearing. Each
34 member of the authority before entering upon his duties shall take and

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

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

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

19 (D) Each member of the authority shall execute a surety bond in
20 the penal sum of \$25,000.00 and the treasurer shall execute a surety
21 bond in the penal sum of \$50,000.00, each such surety bond to be
22 conditioned upon the faithful performance of the duties of the office
23 of such member or treasurer, as the case may be, to be executed by a
24 surety company authorized to transact business in the State of New
25 Jersey as surety and to be approved by the Attorney General and filed
26 in the office of the Secretary of State.

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

36 (F) No resolution or other action of the authority providing for the
37 issuance of bonds, refunding bonds or other obligations or for the
38 fixing, revising or adjusting of tolls for the use of any turnpike project
39 or parts or sections thereof shall be adopted or otherwise made
40 effective by the authority without the prior approval in writing of the
41 Governor and at least one of the following: the State Treasurer and the
42 Director of the Division of Budget and Accounting in the Department
43 of the Treasury. A true copy of the minutes of every meeting of the
44 authority shall be forthwith delivered by and under the certification of
45 the secretary thereof, to the Governor. No action taken at such
46 meeting by the authority shall have force or effect until 10 days,

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

18 (G) The ex officio member of the authority may designate an
19 employee of his department to represent him at meetings of the
20 authority. A designee may lawfully vote and otherwise act on behalf
21 of the member for whom he constitutes the designee. The
22 designations shall be in writing and delivered to the authority and shall
23 be effective until revoked or amended by a writing delivered to the
24 authority.

25 (cf: P.L.1991,c.183,s.4)

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27 2. This act shall take effect immediately.

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STATEMENT

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32 This bill increases the membership of the New Jersey Turnpike
33 Authority from a total of six members to eight members. The bill
34 increases the number of members appointed by the Governor with the
35 advice and consent of the Senate from five members to seven
36 members. The two new members, and their successors, must represent
37 different major political parties.

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Increases membership of New Jersey Turnpike Authority.