

40A:67-1 to 40A:67-23
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2023 **CHAPTER:** 346

NJSA: 40A:67-1 to 40A:67-23 Authorizes regional authority to develop and operate regional rehabilitation and reentry center.

BILL NO: A5835 (Substituted for S4134 (1R))

SPONSOR(S) Greenwald, Louis D. and others

DATE INTRODUCED: 12/4/2023

COMMITTEE: **ASSEMBLY:** Law & Public Safety

SENATE: --

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 12/21/2023

SENATE: 01/08/2024

DATE OF APPROVAL: 1/16/2024

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (A5835 Aca (1R) enacted) Yes

A5835

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Law & Public Safety

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S4134 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

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Title 40A.
Chapter 67. (New)
Regional
Rehabilitation
and Reentry
Center
Authority
§§1-23
C.40A:67-1
to 40A:67-23

P.L. 2023, CHAPTER 346, *approved January 16, 2024*
Assembly, No. 5835 (*First Reprint*)

1 AN ACT authorizing the establishment of a regional authority to
2 develop and operate a rehabilitation and reentry center and
3 supplementing Title 40A of the New Jersey Statutes.
4

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

7
8 1. This act shall be known and may be cited as the "Regional
9 Rehabilitation and Reentry Center Authority Act."
10

11 2. As used in P.L. , c. (C.) (pending before the
12 Legislature as this bill):

13 "Authority" means a regional rehabilitation and reentry center
14 authority established pursuant to section 3 of P.L. , c. (C.)
15 (pending before the Legislature as this bill).

16 "Bonds" means any bonds, interim certificates, notes,
17 debentures, or other obligations issued by the authority pursuant to
18 P.L. , c. (C.) (pending before the Legislature as this bill).

19 "Center" means a regional rehabilitation and reentry center
20 developed, maintained, and operated by an authority pursuant to
21 section 3 of P.L. , c. (C.) (pending before the Legislature as
22 this bill).

23 "Inter-county agreement" or "agreement" means an agreement as
24 provided in section 3 of P.L. , c. (C.) (pending before the
25 Legislature as this bill), defining the rights and responsibilities of
26 the authority and its members, as may be amended.

27 "Local Finance Board" means the Local Finance Board in the
28 Division of Local Government Services in the Department of
29 Community Affairs.

30 "Management committee" or "committee" means a management
31 committee established pursuant to section 4 of P.L. , c. (C.)
32 (pending before the Legislature as this bill).

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:

¹Assembly ALP committee amendments adopted December 11, 2023.

1 3. a. One or more county governing bodies, may, by adoption
2 of an ordinance ¹or resolution,¹ or parallel ordinances or
3 resolutions, as appropriate, establish a regional rehabilitation and
4 reentry center authority to develop, construct, maintain, and operate
5 a regional rehabilitation and reentry center. Upon adoption of the
6 parallel ordinances or resolutions, the counties shall negotiate and
7 agree to a proposed inter-county agreement for the operation of the
8 authority. The counties that enter into the inter-county agreement
9 may amend the agreement as provided in subsection c. of this
10 section.

11 b. Copies of a proposed inter-county agreement shall be
12 submitted to the Local Finance Board for review and consideration.
13 The Local Finance Board shall approve or deny the agreement and
14 file its approval or denial with the clerk of the board of
15 commissioners of each county seeking to enter the agreement. If
16 the Local Finance Board does not deny the proposed agreement
17 within 60 days of receipt, the proposed agreement shall be deemed
18 approved and the authority shall be established in accordance with
19 the terms of the agreement.

20 c. A county may request to become a member of the authority
21 by negotiating an amended inter-county agreement with the
22 authority, through the management committee. Upon entry into a
23 proposed amended inter-county agreement, the authority shall
24 submit the proposed amended inter-county agreement to the Local
25 Finance Board for approval or denial of the proposed amended
26 agreement. If the Local Finance Board does not deny a proposed
27 amended agreement within 60 days of receipt, the proposed
28 amended agreement shall be deemed approved.

29
30 4. An inter-county agreement made pursuant to section 3 of
31 P.L. , c. (C.) (pending before the Legislature as this bill)
32 shall provide:

33 a. the name and purpose of the authority and the functions and
34 services to be provided by the authority;

35 b. the establishment and organization of a governing committee
36 for the authority, which shall be known as the management
37 committee, in which the powers of the authority shall be vested.
38 The management committee shall be comprised of one
39 representative from each county who shall:

40 (1) be annually appointed by the board of commissioners of the
41 county;

42 (2) hold the position for a period of one year, commencing on
43 January 1 of each year; and

44 (3) be authorized to choose a designee to execute the duties of
45 their position;

46 c. if there are an even number of counties, the county with the
47 greatest number of inmates and pretrial detainees to be housed at
48 the center at its opening and for any subsequent year the greatest

- 1 number housed at the center as of November 1 in the year prior,
2 shall appoint an additional committee member for a term of one
3 year, commencing January 1 of each year;
- 4 d. the manner of selection of a head warden of the regional
5 rehabilitation and reentry center and any related satellite facilities
6 and the wardens that shall represent each county;
- 7 e. the manner of selection and duties of the director, deputy
8 director, treasurer, chief financial officer, and secretary, who all
9 shall serve a term of one year commencing January 1 of each year,
10 and the selection of any other officers or authority staff, as
11 determined by the committee;
- 12 f. the voting requirements for action by the committee,
13 including the requirements for how many members constitute a
14 quorum;
- 15 g. the duties of the committee, which shall include the
16 obligation to comply with the "Local Authorities Fiscal Control
17 Law," P.L.1983, c.313 (C.40A:5A-1 et seq.) except as otherwise
18 provided in P.L. , c. (C.) (pending before the Legislature as
19 this bill), and the laws of this State and, in addition, with every
20 provision in the inter-county agreement creating the authority on its
21 part to be kept or performed;
- 22 h. in the event of a committee vacancy, the vacancy shall be
23 filled by a majority vote of the management committee at the next
24 meeting following the date of vacancy on an interim basis, until the
25 time that the appointing board of county commissioners makes a
26 formal appointment to the committee for the remainder of the term;
- 27 i. the manner in which counties may withdraw from
28 participation in the inter-county agreement;
- 29 j. provisions for the disposition, division, or distribution of any
30 property or assets of the authority on dissolution;
- 31 k. the terms of the inter-county agreement and the method, if
32 any, by which the inter-county agreement may be rescinded or
33 terminated; however, the inter-county agreement shall not be
34 rescinded or terminated so long as the authority has bonds
35 outstanding, unless provision for full payment of the bonds, by
36 escrow or otherwise, has been made pursuant to the terms of the
37 bonds or the resolution, trust indenture, or security instrument
38 securing the bonds; and
- 39 l. that the management committee shall conduct meetings in
40 conformity with the "Senator Byron M. Baer Open Public Meetings
41 Act," P.L.1975, c.231 (C.10:4-6 et seq.) and shall meet at least once
42 during each quarter of the calendar year, with special meetings
43 convened by the director or upon the request of at least two
44 committee members, with at least 48 hours' notice by telephone or
45 email to all members of the management committee.
- 46
- 47 5. An officer or employee of an authority shall not have or
48 acquire an interest, direct or indirect, in property, a contract, or a

1 proposed contract for materials, services, or supplies to be
2 furnished, to or used by, the authority, any of the counties, or the
3 center.

4
5 6. An authority shall be a public body politic and corporate,
6 established as an instrumentality exercising public and essential
7 governmental functions to provide for the public health and welfare.
8 The authority shall have the duties, privileges, immunities, rights,
9 liabilities, and disabilities of a public body politic and corporate and
10 shall have taxing power. The authority shall be a "contracting unit"
11 for purposes of the "Local Public Contracts Law," P.L.1971, c.198
12 (C.40A:11-1 et seq.), shall have perpetual succession until
13 termination or dissolution in accordance with the agreement, and
14 shall have the powers to:

15 a. adopt and have a common seal and to alter the same at
16 pleasure;

17 b. sue and be sued;

18 c. acquire, own, rent, hold, lease, as lessor or lessee, use and
19 sell or otherwise dispose of, mortgage, pledge, or grant a security
20 in, any real or personal property, commodity, or service or interest
21 therein;

22 d. plan, develop, acquire, construct, reconstruct, operate,
23 manage, dispose of, participate in, maintain, repair, extend, or
24 improve a center or satellite facility, and act as agent, or designate
25 one or more other persons employed by or contracting with the
26 center to act as its agent, in connection with the planning,
27 acquisition, construction, operation, maintenance, repair, extension,
28 or improvement of the center, and provision to the members of
29 rehabilitation and reentry services, to meet the needs of the
30 members and the State, which shall include the hiring of experts to
31 perform a population review and projected bed needs;

32 e. make and execute additional contracts and other instruments
33 necessary or convenient to the exercise of its powers;

34 f. employ agents and employees, without regard to the
35 provisions of Title 11A, Civil Service, of the New Jersey Statutes,
36 but does not preclude employees from entering or becoming party
37 to a collective bargaining agreement;

38 g. contract with any person, entity, or public agency within or
39 outside the State of New Jersey for the construction or operation of
40 the center, or for any interest or share therein, on terms and for a
41 period of time as its committee shall determine;

42 h. incur indebtedness through the issuance of bonds, provide
43 for and secure the payment of any bonds and the rights of the
44 holders thereof, and to purchase, hold, and dispose of any bonds;

45 i. accept gifts or grants of real or personal property, money,
46 material, labor, or supplies solely for the purposes and exclusive use
47 and benefit of the authority, and to make and perform those
48 agreements and contracts as may be necessary or convenient in

- 1 connection with the procuring, acceptance, or disposition of the
2 gifts or grants;
- 3 j. make and enforce by-laws or rules and regulations for the
4 management and regulation of its business and affairs and for the
5 use, maintenance, and operation of its properties and to amend its
6 by-laws;
- 7 k. do and perform any acts and things authorized by P.L. ,
8 c. (C.) (pending before the Legislature as this bill), through or
9 by means of its own officers, agents, and employees, or by contract
10 with any person;
- 11 l. enter into contracts, execute instruments, and do and
12 perform all things necessary, convenient, or desirable for the
13 purposes of the authority, or to carry out any power expressly
14 authorized under P.L. , c. (C.) (pending before the
15 Legislature as this bill);
- 16 m. join organizations, including private or trade organizations,
17 which the committee has deemed to be beneficial to the
18 accomplishment of the authority's purposes;
- 19 n. invest any funds held in reserve or sinking funds, or any
20 funds not required for immediate disbursement, including the
21 proceeds from the sale of any bonds, in those obligations, securities,
22 and other investments as the authority deems to be proper and are
23 authorized pursuant to law ¹**[.]** ; and¹
- 24 o. introduce an annual budget by January ¹**[26]** 26th¹ of each
25 year and adopt a budget by February 25th of each year. Procedures
26 for budget introduction and adoption shall be made pursuant to the
27 "Local Budget Law," N.J.S.40A:4-1 et seq., be subject to the cap on
28 calculation of adjusted tax levy by local units pursuant to
29 N.J.S.40A:4-45.45, and shall include the following:
- 30 (1) an amount to be raised by taxation, which shall be conveyed
31 to the Board of Taxation in each participation county within 15 days
32 of the adoption of the budget;
- 33 (2) the chief financial officer of the authority shall certify the
34 Average Daily Population (ADP) of the inmates from each
35 participating county, for the previous year, by February 1st of each
36 year;
- 37 (3) based on the ADP, the chief financial officer of the authority
38 shall certify each county's proportional share of inmates for the
39 previous year. By February 15th of each year, the proportional
40 share for each county shall be conveyed to the appropriate County
41 Board of Taxation, to be used to calculate the amount of taxes to be
42 levied in each of the participating counties. These taxes shall be
43 assessed, levied, and collected within the respective taxing districts
44 in the manner prescribed by law; and
- 45 (4) in each local budget year in which the function of a county
46 jail is transferred from the county government to the authority, the
47 county shall deduct from its final appropriations upon which its
48 permissible county tax levy is calculated, the amount which the

1 county expended for that function during the last full budget year it
2 was included in the county budget.

3

4 7. a. In order to construct and operate the center, the authority
5 shall have the power to authorize or provide for the issuance of
6 bonds pursuant to P.L. , c. (C.) (pending before the
7 Legislature as this bill) for the purpose of raising funds to pay the
8 cost of the construction or operation of the center and to fund or
9 refund any bonds.

10 b. The authority, prior to any bond issuance, shall adopt a bond
11 resolution that shall:

12 (1) describe in brief and general terms sufficient for reasonable
13 identification the center or part thereof, to be constructed or
14 acquired, or describe the bonds which are to be funded or refunded,
15 if any;

16 (2) state the cost or estimated cost of the center, if any; and

17 (3) provide for the issuance of the bonds in accordance with
18 sections 8 through 15 of P.L. , c. (C. through C.)
19 (pending before the Legislature as this bill).

20

21 8. Upon adoption of a bond resolution, the management
22 committee, on behalf of the authority, shall have power to incur
23 indebtedness, borrow money, and issue bonds for the purpose of
24 financing the construction or operation of the center and any
25 satellite facilities to meet the needs of its members or of funding or
26 refunding the bonds issued pursuant to P.L. , c. (C.)
27 (pending before the Legislature as this bill). The bonds shall be
28 authorized by the bond resolution and may be issued in one or more
29 series and shall bear the date or dates, mature at a time or times not
30 exceeding 40 years from the date thereof or through the date for the
31 expected dissolution of the authority pursuant to the agreement,
32 whichever occurs first, bear interest at a rate or rates within a
33 maximum rate as permitted by law, be in a denomination or
34 denominations, be in a form, either coupon or registered, carry
35 conversion or registration privileges, have a rank or priority, be
36 executed in a manner, be payable from sources in a medium of
37 payment at a place or places within or without the State, and be
38 subject to the terms of redemption, with or without a premium, as
39 the bond resolution may provide.

40

41 9. An authority may sell bonds at public or private sale, and at
42 a price or prices the authority shall determine subject to the
43 provisions of the "Local Authorities Fiscal Control Law," P.L.1983,
44 c.313 (C.40A:5A-1 et seq.).

45

46 10. An authority shall file a copy of a bond resolution adopted
47 by the management committee in its office and in the office of the
48 clerk of the board of commissioners, and may publish, in a

1 newspaper published or circulating in each county's community, a
2 notice stating the fact and date of adoption of the bond resolution
3 and the places where the authority has filed the bond resolution for
4 public inspection, the date of the first publication of the notice, and
5 that an action or proceeding in a court questioning the validity or
6 proper authorization of bonds provided for by the bond resolution,
7 or the validity of any covenants, agreements, or contract provided
8 for by the bond resolution, shall commence within 20 days after the
9 first publication of the notice. If the notice shall be published and if
10 no action or proceeding questioning the validity of the
11 establishment of the authority or the validity or proper authorization
12 of bonds provided for by the bond resolution referred to in the
13 notice, or the validity of any covenants, agreements, or contract
14 provided for by the bond resolution shall be commenced or
15 instituted within 20 days after the first publication of the notice,
16 then the residents, taxpayers, and owners of property in each of the
17 counties, and all other persons, shall be barred and foreclosed from
18 instituting or commencing any action or proceeding in any court, or
19 from pleading any defense to any action or proceedings, questioning
20 the validity of the establishment of the authority, the validity or
21 proper authorization of the bonds, or the validity of the covenants,
22 agreements, or contracts. The authority shall be conclusively
23 deemed to have been validly established and to be authorized to
24 transact business and exercise powers as an authority pursuant to
25 P.L. , c. (C.) (pending before the Legislature as this bill),
26 and the bonds, covenants, agreements, and contracts shall be
27 conclusively deemed to be valid and binding obligations in
28 accordance with their terms and tenor.

29
30 11. A bond or other obligation issued pursuant to P.L. ,
31 c. (C.) (pending before the Legislature as this bill) shall be
32 fully negotiable for the purposes of the negotiable instruments law
33 under Title 12A of the New Jersey Statutes, and each holder or
34 owner of a bond or other obligation, or of any appurtenant coupon,
35 by accepting the bond or coupon shall be conclusively deemed to
36 have agreed that the bond, obligation, or coupon shall be fully
37 negotiable for the purposes of the negotiable instruments law under
38 Title 12A of the New Jersey Statutes.

39
40 12. Neither the members of the committee nor any person
41 executing bonds issued pursuant to P.L. , c. (C.) (pending
42 before the Legislature as this bill) shall be liable personally on the
43 bonds by reason of their issuance. Bonds or other obligations
44 issued pursuant to P.L. , c. (C.) (pending before the
45 Legislature as this bill) shall not be a debt or liability of the State,
46 and bonds or other obligations issued by the authority shall not be a
47 debt or liability of the State, of any local unit, of any county, or of
48 any municipality, and shall not create or constitute any

1 indebtedness, liability, or obligation of the State of any local unit,
2 of any county, or of any municipality, either legal, moral, or
3 otherwise, and nothing in P.L. , c. (C.) (pending before the
4 Legislature as this bill) shall be construed to authorize the authority
5 to incur indebtedness on behalf of or to obligate the State, any local
6 unit, county, or municipality.

7
8 13. A bond resolution of an authority providing for or
9 authorizing the issuance of bonds may contain provisions, and the
10 authority shall, in order to secure the payment of the bonds in
11 addition to its other powers, have the power by the provisions in the
12 bond resolution to covenant and agree with the several holders of
13 the bonds, as to the:

14 a. custody, security, use, expenditure, or application of the
15 proceeds of the bonds;

16 b. construction and completion, or repair, of the center or a
17 satellite facility;

18 c. use, regulation, operation, maintenance, insurance, or
19 disposition of the center, of the authority, or restrictions on the
20 exercise of the powers of the authority to dispose of, limit, or
21 regulate the use of all or any part of the center;

22 d. payment of the principal of, or interest on, the bonds, or any
23 other obligations, and the sources and methods thereof, the rank or
24 priority of the bonds or obligations as to any lien or security, or the
25 acceleration of the maturity of the bonds or obligations;

26 e. use and disposition of any monies of the authority, including
27 any of the authority's revenues, derived or to be derived from the
28 operation of the center, including any parts that are constructed or
29 acquired as any of the center's parts, extensions, or improvements;

30 f. pledging, setting aside, depositing, or acting as trustee for all
31 or any part of the revenues or other monies of the authority to
32 secure the payment of the principal of, or interest on, the bonds or
33 any other obligations, or the payment of expenses of operation or
34 maintenance of the center or satellite facility, and the powers and
35 duties of any trustee;

36 g. setting aside moneys out of the revenues or other moneys of
37 the authority including its reserves and sinking funds, and as to the
38 source, custody, security, regulation, application, and disposition of
39 the moneys described in this subsection;

40 h. determination or definition of the revenues or of the
41 expenses of operation and maintenance of the center or satellite
42 facilities;

43 i. rents, rates, fees, or other charges in connection with the use,
44 products, or services of the center or satellite facilities, including
45 any of the parts, extensions, replacements, or improvements of the
46 center or satellite facilities constructed or acquired, and the fixing,
47 establishment, collection, and enforcement of those charges, the

- 1 amount of revenues produced, and the disposition and application of
2 the amounts charged or collected;
- 3 j. assumption or payment or discharge of any indebtedness,
4 liens, or other claims relating to the center or satellite facility for
5 any obligations having or which may have a lien on any part of the
6 center;
- 7 k. limitations on the issuance of additional bonds or any other
8 obligations or on the incurrence of indebtedness of the authority;
- 9 l. vesting in a trustee within or without the State any property,
10 rights, powers, and duties in trust as the authority may determine,
11 which may include the rights, powers, and duties of the trustee
12 appointed by the holders of bonds, and limiting or abrogating the
13 right of the holders to appoint a trustee or limiting the rights, duties,
14 and powers of the trustee;
- 15 m. payment of costs or expenses incident to the enforcement of
16 the bonds or of the provisions of the bond resolutions or of any
17 covenant or contract with the holders of the bonds;
- 18 n. procedure, if any, by which the terms of any covenant or
19 contract with, or duty to, the holders of the bonds may be amended
20 or abrogated, the amount of bonds that the holders of which must
21 consent, and the manner in which the consent may be given or
22 evidenced; and
- 23 o. any other matter or course of conduct which, by recital in the
24 bond resolution, is declared to further secure the payment of the
25 principal of, or interest on, the bonds.

26 The provisions of the bond resolution and the related covenants
27 and agreements shall constitute valid and legally binding contracts
28 between the authority and the several holders of the bonds,
29 regardless of the time of issuance of the bonds, and shall be
30 enforceable by any holder or holders by appropriate suit, action, or
31 proceeding in any court of competent jurisdiction, or by proceeding
32 in lieu of prerogative writ.

33

34 14. a. If the bond resolution of an authority authorizing or
35 providing for the issuance of a series of its bonds provides that the
36 bond holders of the series are entitled to the benefits of this section,
37 then, in the event that there is a default in the payment of the
38 principal of, or interest on, any bonds of the series after the bonds
39 become due, whether at maturity or upon call for redemption, and
40 the default shall continue for a period of 30 days, or in the event
41 that the authority fails or refuses to comply with the provisions of
42 P.L. , c. (C.) (pending before the Legislature as this bill) or
43 fails or refuses to carry out and perform the terms of any contract
44 with the holders of those bonds, and that failure or refusal shall
45 continue for a period of 30 days after written notice to the authority
46 of its existence and nature, the holders of 25 percent in aggregate
47 principal amount of the bonds and the series then outstanding by
48 instrument or instruments filed in the office of the Secretary of

1 State and proved or acknowledged in the same manner as a deed to
2 be recorded, the bond holders may appoint a trustee to represent the
3 bond holders of the series for the purposes provided in this section.

4 b. The trustee, appointed pursuant to subsection a. of this
5 section, may and upon written request of the holders of 25 percent
6 in aggregate principal amount of the bonds of the series then
7 outstanding shall, in the trustee's or its own name:

8 (1) by any action, writ, proceeding in lieu of prerogative writ, or
9 other proceeding, enforce all rights of the holders of the bonds,
10 including to require an authority to carry out and perform the terms
11 of a contract with the holders of the bonds or its duties pursuant to
12 P.L. , c. (C.) (pending before the Legislature as this bill);

13 (2) bring an action upon all or any part of the bonds or
14 appurtenant interest coupons or claims;

15 (3) by action, require authority to account as if it were the
16 trustee of an express trust for the holders of the bonds;

17 (4) by action, enjoin any acts that may be unlawful or in
18 violation of the rights of the holders of the bonds; and

19 (5) declare all the bonds due and payable, whether or not in
20 advance of maturity, upon 30 days' prior notice in writing to the
21 authority and, if all defaults shall be made good, then with the
22 consent of the holders of 25 percent of the principal amount of the
23 bonds then outstanding, annul the declaration and its consequences.

24 c. The trustee shall, in addition to the powers provided in
25 subsections a. and b. of this section, possess all of the powers
26 necessary for the exercise of the functions specifically set forth
27 herein or incident to the general representation of the holders of
28 bonds of the series in the enforcement and protection of their rights.

29 d. In any action or proceeding by the trustee, the fees, counsel
30 fees and expenses of the trustee and of the receiver, if any,
31 appointed pursuant to P.L. , c. (C.) (pending before the
32 Legislature as this bill), shall constitute taxable costs and
33 disbursements, and all costs and disbursements, allowed by the
34 court, shall be a first charge upon any service charges and system
35 revenues of the authority pledged for the payment or security of
36 bonds of the series.

37

38 15. If the bond resolution of an authority authorizing or
39 providing for the issuance of a series of its bonds provides that the
40 bond holders of the series are entitled to the benefits of section 14
41 of P.L. , c. (C.) (pending before the Legislature as this bill),
42 and further provides that any trustee appointed pursuant to that
43 section or having the powers of a trustee shall have the powers
44 provided by this section, then the trustee, whether or not all of the
45 bonds of the series have been declared due and payable, shall be
46 entitled as of right to the appointment of a receiver of the assets of
47 the authority, and the receiver may enter upon and take possession
48 of the assets of the authority and, subject to any pledge or contract

1 with the holders of the bonds, shall take possession of all monies
2 and other property derived from or applicable to the acquisition,
3 construction, operation, maintenance, or reconstruction of the assets
4 of the authority, and proceed with the acquisition, construction,
5 operation, maintenance, or reconstruction that an authority is under
6 an obligation to do, and operate, maintain, and reconstruct a center,
7 and fix, charge, collect, enforce, and receive the revenues thereafter
8 arising subject to any pledge thereof or contract with the holders of
9 the bonds and perform the public duties and carry out the contracts
10 and obligations of an authority in the same manner as the authority,
11 and under the direction of the court.

12

13 16. All property of an authority shall be exempt from levy and
14 sale by virtue of an execution of a court of competent jurisdiction
15 and no execution or other judicial process shall issue against an
16 authority nor shall any judgment against an authority be a charge or
17 lien upon its property, provided that nothing in this section shall
18 apply to or limit the rights of the holder of any bonds to pursue a
19 remedy for the enforcement of any pledge or lien given by an
20 authority, revenues, or other monies.

21

22 17. Notwithstanding the provisions of any law to the contrary,
23 the State and all public officers, municipalities, counties, political
24 subdivisions of public bodies, and agencies thereof, all banks,
25 bankers, trust companies, savings banks and institutions, building
26 and loan associations, savings and loan associations, investment
27 companies, and other persons carrying on a banking business, all
28 insurance companies, insurance associations, and other persons
29 carrying on an insurance business, and all executors, administrators,
30 guardians, trustees, and other fiduciaries, may legally invest any
31 sinking funds, monies, or other funds, in any bonds of an authority,
32 and the bonds shall be authorized security for public deposits.

33

34 18. The center, any satellite facilities, and any associated
35 property or projects owned by an authority, including any pro rata
36 share of any property that is owned by an authority in conjunction
37 with any other person or public agency and used in connection with
38 a center shall be public property and devoted to an essential public
39 and governmental function and purpose, and the property, an
40 authority, and its income shall be exempt from taxes and special
41 assessments of the State or any subdivision of the State. The bonds
42 issued by the authority shall be for an essential public and
43 governmental purpose and to be a public instrumentality in the
44 bonds, and the interest and the income and funds, revenues, and
45 other monies pledged or available to pay or secure the payment of
46 the bonds, or interest, shall be exempt from taxation except for
47 transfer, inheritance and estate taxes, and taxes on transfers by or in
48 contemplation of death.

1 19. The State of New Jersey shall pledge to and covenant and
2 agree with the holders of any bonds issued pursuant to a bond
3 resolution of the authority, that the State shall not limit or alter the
4 rights vested in an authority to acquire, construct, operate, and
5 participate in the construction and operation of a center, and to
6 fulfill the terms of any agreement made with the holders of the
7 bonds or other obligations, shall not in any way impair the rights or
8 remedies of these holders, and shall not modify in any way the
9 exemptions from taxation provided for in P.L. , c. (C.)
10 (pending before the Legislature as this bill) until the bonds, together
11 with their interest, with interest on any unpaid installments of
12 interest, and all costs and expenses in connection with an action or
13 proceeding by or on behalf of these holders, are fully met and
14 discharged.

15

16 20. All banks, bankers, trust companies, savings banks,
17 investment companies, and other persons carrying on a banking
18 business shall be authorized to give to an authority a sufficient
19 undertaking with those sureties as shall be approved by the
20 authority to the effect that the bank or banking institution shall
21 faithfully keep and pay over to the order of or upon the warrant of
22 an authority or its authorized agent, all funds as may be deposited
23 with it by the authority and agreed interest, at times or upon
24 demands as may be agreed with the authority or in lieu of these
25 sureties, deposit with the authority or its agent or any trustee
26 therefor or for the holders of any bonds, as collateral, the securities
27 as the authority may approve. The deposits of the authority may be
28 evidenced or secured by a depository collateral agreement in a form
29 and upon terms and conditions as may be agreed upon by the
30 authority and the bank or banking institution.

31

32 21. An authority shall conduct an annual audit of its accounts,
33 and for this purpose shall employ a certified public accountant
34 licensed pursuant to the laws of the State. The audit shall be
35 completed and filed with the authority within four months after the
36 close of its fiscal year and the authority shall file a certified
37 duplicate with the Director of the Division of Local Government
38 Services in the Department of Community Affairs within five days
39 after the original report is filed with the authority.

40

41 22. The authority shall file a copy of each bond resolution
42 adopted by it with the Director of the Division of Local
43 Government Services in the Department of Community Affairs,
44 together with a summary of the dates, amounts, maturities, and
45 interest rates of the issued bonds.

46

47 23. Anything not considered in P.L. , c. (C.) (pending
48 before the Legislature as this bill) but necessary for the operation of

1 the authority shall be negotiated in the agreement between the
2 authority and the participating counties.

3

4 24. This act shall take effect immediately.

5

6

7

8

9 Authorizes regional authority to develop and operate regional
10 rehabilitation and reentry center.

ASSEMBLY, No. 5835

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED DECEMBER 4, 2023

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

SYNOPSIS

Authorizes regional authority to develop and operate regional rehabilitation and reentry center.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT authorizing the establishment of a regional authority to
2 develop and operate a rehabilitation and reentry center and
3 supplementing Title 40A of the New Jersey Statutes.

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

7
8 1. This act shall be known and may be cited as the "Regional
9 Rehabilitation and Reentry Center Authority Act."

10
11 2. As used in P.L. , c. (C.) (pending before the
12 Legislature as this bill):

13 "Authority" means a regional rehabilitation and reentry center
14 authority established pursuant to section 3 of P.L. , c. (C.)
15 (pending before the Legislature as this bill).

16 "Bonds" means any bonds, interim certificates, notes,
17 debentures, or other obligations issued by the authority pursuant to
18 P.L. , c. (C.) (pending before the Legislature as this bill).

19 "Center" means a regional rehabilitation and reentry center
20 developed, maintained, and operated by an authority pursuant to
21 section 3 of P.L. , c. (C.) (pending before the Legislature as
22 this bill).

23 "Inter-county agreement" or "agreement" means an agreement as
24 provided in section 3 of P.L. , c. (C.) (pending before the
25 Legislature as this bill), defining the rights and responsibilities of
26 the authority and its members, as may be amended.

27 "Local Finance Board" means the Local Finance Board in the
28 Division of Local Government Services in the Department of
29 Community Affairs.

30 "Management committee" or "committee" means a management
31 committee established pursuant to section 4 of P.L. , c. (C.)
32 (pending before the Legislature as this bill).

33
34 3. a. One or more county governing bodies, may, by adoption
35 of an ordinance or parallel ordinances or resolutions, as appropriate,
36 establish a regional rehabilitation and reentry center authority to
37 develop, construct, maintain, and operate a regional rehabilitation
38 and reentry center. Upon adoption of the parallel ordinances or
39 resolutions, the counties shall negotiate and agree to a proposed
40 inter-county agreement for the operation of the authority. The
41 counties that enter into the inter-county agreement may amend the
42 agreement as provided in subsection c. of this section.

43 b. Copies of a proposed inter-county agreement shall be
44 submitted to the Local Finance Board for review and consideration.
45 The Local Finance Board shall approve or deny the agreement and
46 file its approval or denial with the clerk of the board of
47 commissioners of each county seeking to enter the agreement. If
48 the Local Finance Board does not deny the proposed agreement

1 within 60 days of receipt, the proposed agreement shall be deemed
2 approved and the authority shall be established in accordance with
3 the terms of the agreement.

4 c. A county may request to become a member of the authority
5 by negotiating an amended inter-county agreement with the
6 authority, through the management committee. Upon entry into a
7 proposed amended inter-county agreement, the authority shall
8 submit the proposed amended inter-county agreement to the Local
9 Finance Board for approval or denial of the proposed amended
10 agreement. If the Local Finance Board does not deny a proposed
11 amended agreement within 60 days of receipt, the proposed
12 amended agreement shall be deemed approved.

13

14 4. An inter-county agreement made pursuant to section 3 of
15 P.L. , c. (C.) (pending before the Legislature as this bill)
16 shall provide:

17 a. the name and purpose of the authority and the functions and
18 services to be provided by the authority;

19 b. the establishment and organization of a governing committee
20 for the authority, which shall be known as the management
21 committee, in which the powers of the authority shall be vested.
22 The management committee shall be comprised of one
23 representative from each county who shall:

24 (1) be annually appointed by the board of commissioners of the
25 county;

26 (2) hold the position for a period of one year, commencing on
27 January 1 of each year; and

28 (3) be authorized to choose a designee to execute the duties of
29 their position;

30 c. if there are an even number of counties, the county with the
31 greatest number of inmates and pretrial detainees to be housed at
32 the center at its opening and for any subsequent year the greatest
33 number housed at the center as of November 1 in the year prior,
34 shall appoint an additional committee member for a term of one
35 year, commencing January 1 of each year;

36 d. the manner of selection of a head warden of the regional
37 rehabilitation and reentry center and any related satellite facilities
38 and the wardens that shall represent each county;

39 e. the manner of selection and duties of the director, deputy
40 director, treasurer, chief financial officer, and secretary, who all
41 shall serve a term of one year commencing January 1 of each year,
42 and the selection of any other officers or authority staff, as
43 determined by the committee;

44 f. the voting requirements for action by the committee,
45 including the requirements for how many members constitute a
46 quorum;

47 g. the duties of the committee, which shall include the
48 obligation to comply with the "Local Authorities Fiscal Control

1 Law," P.L.1983, c.313 (C.40A:5A-1 et seq.) except as otherwise
2 provided in P.L. , c. (C.) (pending before the Legislature as
3 this bill), and the laws of this State and, in addition, with every
4 provision in the inter-county agreement creating the authority on its
5 part to be kept or performed;

6 h. in the event of a committee vacancy, the vacancy shall be
7 filled by a majority vote of the management committee at the next
8 meeting following the date of vacancy on an interim basis, until the
9 time that the appointing board of county commissioners makes a
10 formal appointment to the committee for the remainder of the term;

11 i. the manner in which counties may withdraw from
12 participation in the inter-county agreement;

13 j. provisions for the disposition, division, or distribution of any
14 property or assets of the authority on dissolution;

15 k. the terms of the inter-county agreement and the method, if
16 any, by which the inter-county agreement may be rescinded or
17 terminated; however, the inter-county agreement shall not be
18 rescinded or terminated so long as the authority has bonds
19 outstanding, unless provision for full payment of the bonds, by
20 escrow or otherwise, has been made pursuant to the terms of the
21 bonds or the resolution, trust indenture, or security instrument
22 securing the bonds; and

23 l. that the management committee shall conduct meetings in
24 conformity with the "Senator Byron M. Baer Open Public Meetings
25 Act," P.L.1975, c.231 (C.10:4-6 et seq.) and shall meet at least once
26 during each quarter of the calendar year, with special meetings
27 convened by the director or upon the request of at least two
28 committee members, with at least 48 hours' notice by telephone or
29 email to all members of the management committee.

30

31 5. An officer or employee of an authority shall not have or
32 acquire an interest, direct or indirect, in property, a contract, or a
33 proposed contract for materials, services, or supplies to be
34 furnished, to or used by, the authority, any of the counties, or the
35 center.

36

37 6. An authority shall be a public body politic and corporate,
38 established as an instrumentality exercising public and essential
39 governmental functions to provide for the public health and welfare.
40 The authority shall have the duties, privileges, immunities, rights,
41 liabilities, and disabilities of a public body politic and corporate and
42 shall have taxing power. The authority shall be a "contracting unit"
43 for purposes of the "Local Public Contracts Law," P.L.1971, c.198
44 (C.40A:11-1 et seq.), shall have perpetual succession until
45 termination or dissolution in accordance with the agreement, and
46 shall have the powers to:

47 a. adopt and have a common seal and to alter the same at
48 pleasure;

- 1 b. sue and be sued;
- 2 c. acquire, own, rent, hold, lease, as lessor or lessee, use and
3 sell or otherwise dispose of, mortgage, pledge, or grant a security
4 in, any real or personal property, commodity, or service or interest
5 therein;
- 6 d. plan, develop, acquire, construct, reconstruct, operate,
7 manage, dispose of, participate in, maintain, repair, extend, or
8 improve a center or satellite facility, and act as agent, or designate
9 one or more other persons employed by or contracting with the
10 center to act as its agent, in connection with the planning,
11 acquisition, construction, operation, maintenance, repair, extension,
12 or improvement of the center, and provision to the members of
13 rehabilitation and reentry services, to meet the needs of the
14 members and the State, which shall include the hiring of experts to
15 perform a population review and projected bed needs;
- 16 e. make and execute additional contracts and other instruments
17 necessary or convenient to the exercise of its powers;
- 18 f. employ agents and employees, without regard to the
19 provisions of Title 11A, Civil Service, of the New Jersey Statutes,
20 but does not preclude employees from entering or becoming party
21 to a collective bargaining agreement;
- 22 g. contract with any person, entity, or public agency within or
23 outside the State of New Jersey for the construction or operation of
24 the center, or for any interest or share therein, on terms and for a
25 period of time as its committee shall determine;
- 26 h. incur indebtedness through the issuance of bonds, provide
27 for and secure the payment of any bonds and the rights of the
28 holders thereof, and to purchase, hold, and dispose of any bonds;
- 29 i. accept gifts or grants of real or personal property, money,
30 material, labor, or supplies solely for the purposes and exclusive use
31 and benefit of the authority, and to make and perform those
32 agreements and contracts as may be necessary or convenient in
33 connection with the procuring, acceptance, or disposition of the
34 gifts or grants;
- 35 j. make and enforce by-laws or rules and regulations for the
36 management and regulation of its business and affairs and for the
37 use, maintenance, and operation of its properties and to amend its
38 by-laws;
- 39 k. do and perform any acts and things authorized by P.L. , c.
40 (C.) (pending before the Legislature as this bill), through or by
41 means of its own officers, agents, and employees, or by contract
42 with any person;
- 43 l. enter into contracts, execute instruments, and do and
44 perform all things necessary, convenient, or desirable for the
45 purposes of the authority, or to carry out any power expressly
46 authorized under P.L. , c. (C.) (pending before the
47 Legislature as this bill);

1 m. join organizations, including private or trade organizations,
2 which the committee has deemed to be beneficial to the
3 accomplishment of the authority's purposes;

4 n. invest any funds held in reserve or sinking funds, or any
5 funds not required for immediate disbursement, including the
6 proceeds from the sale of any bonds, in those obligations, securities,
7 and other investments as the authority deems to be proper and are
8 authorized pursuant to law.

9 o. introduce an annual budget by January 26 of each year and
10 adopt a budget by February 25th of each year. Procedures for
11 budget introduction and adoption shall be made pursuant to the
12 "Local Budget Law," N.J.S.40A:4-1 et seq., be subject to the cap on
13 calculation of adjusted tax levy by local units pursuant to
14 N.J.S.40A:4-45.45, and shall include the following:

15 (1) an amount to be raised by taxation, which shall be conveyed
16 to the Board of Taxation in each participation county within 15 days
17 of the adoption of the budget;

18 (2) the chief financial officer of the authority shall certify the
19 Average Daily Population (ADP) of the inmates from each
20 participating county, for the previous year, by February 1st of each
21 year;

22 (3) based on the ADP, the chief financial officer of the authority
23 shall certify each county's proportional share of inmates for the
24 previous year. By February 15th of each year, the proportional
25 share for each county shall be conveyed to the appropriate County
26 Board of Taxation, to be used to calculate the amount of taxes to be
27 levied in each of the participating counties. These taxes shall be
28 assessed, levied, and collected within the respective taxing districts
29 in the manner prescribed by law; and

30 (4) in each local budget year in which the function of a county
31 jail is transferred from the county government to the authority, the
32 county shall deduct from its final appropriations upon which its
33 permissible county tax levy is calculated, the amount which the
34 county expended for that function during the last full budget year it
35 was included in the county budget.

36

37 7. a. In order to construct and operate the center, the authority
38 shall have the power to authorize or provide for the issuance of
39 bonds pursuant to P.L. , c. (C.) (pending before the
40 Legislature as this bill) for the purpose of raising funds to pay the
41 cost of the construction or operation of the center and to fund or
42 refund any bonds.

43 b. The authority, prior to any bond issuance, shall adopt a bond
44 resolution that shall:

45 (1) describe in brief and general terms sufficient for reasonable
46 identification the center or part thereof, to be constructed or
47 acquired, or describe the bonds which are to be funded or refunded,
48 if any;

1 (2) state the cost or estimated cost of the center, if any; and
2 (3) provide for the issuance of the bonds in accordance with
3 sections 8 through 15 of P.L. , c. (C. through C.)
4 (pending before the Legislature as this bill).

5
6 8. Upon adoption of a bond resolution, the management
7 committee, on behalf of the authority, shall have power to incur
8 indebtedness, borrow money, and issue bonds for the purpose of
9 financing the construction or operation of the center and any
10 satellite facilities to meet the needs of its members or of funding or
11 refunding the bonds issued pursuant to P.L. , c. (C.)
12 (pending before the Legislature as this bill). The bonds shall be
13 authorized by the bond resolution and may be issued in one or more
14 series and shall bear the date or dates, mature at a time or times not
15 exceeding 40 years from the date thereof or through the date for the
16 expected dissolution of the authority pursuant to the agreement,
17 whichever occurs first, bear interest at a rate or rates within a
18 maximum rate as permitted by law, be in a denomination or
19 denominations, be in a form, either coupon or registered, carry
20 conversion or registration privileges, have a rank or priority, be
21 executed in a manner, be payable from sources in a medium of
22 payment at a place or places within or without the State, and be
23 subject to the terms of redemption, with or without a premium, as
24 the bond resolution may provide.

25
26 9. An authority may sell bonds at public or private sale, and at
27 a price or prices the authority shall determine subject to the
28 provisions of the "Local Authorities Fiscal Control Law," P.L.1983,
29 c.313 (C.40A:5A-1 et seq.).

30
31 10. An authority shall file a copy of a bond resolution adopted
32 by the management committee in its office and in the office of the
33 clerk of the board of commissioners, and may publish, in a
34 newspaper published or circulating in each county's community, a
35 notice stating the fact and date of adoption of the bond resolution
36 and the places where the authority has filed the bond resolution for
37 public inspection, the date of the first publication of the notice, and
38 that an action or proceeding in a court questioning the validity or
39 proper authorization of bonds provided for by the bond resolution,
40 or the validity of any covenants, agreements, or contract provided
41 for by the bond resolution, shall commence within 20 days after the
42 first publication of the notice. If the notice shall be published and if
43 no action or proceeding questioning the validity of the
44 establishment of the authority or the validity or proper authorization
45 of bonds provided for by the bond resolution referred to in the
46 notice, or the validity of any covenants, agreements, or contract
47 provided for by the bond resolution shall be commenced or
48 instituted within 20 days after the first publication of the notice,

1 then the residents, taxpayers, and owners of property in each of the
2 counties, and all other persons, shall be barred and foreclosed from
3 instituting or commencing any action or proceeding in any court, or
4 from pleading any defense to any action or proceedings, questioning
5 the validity of the establishment of the authority, the validity or
6 proper authorization of the bonds, or the validity of the covenants,
7 agreements, or contracts. The authority shall be conclusively
8 deemed to have been validly established and to be authorized to
9 transact business and exercise powers as an authority pursuant to
10 P.L. , c. (C.) (pending before the Legislature as this bill),
11 and the bonds, covenants, agreements, and contracts shall be
12 conclusively deemed to be valid and binding obligations in
13 accordance with their terms and tenor.

14

15 11. A bond or other obligation issued pursuant to P.L. , c.
16 (C.) (pending before the Legislature as this bill) shall be fully
17 negotiable for the purposes of the negotiable instruments law under
18 Title 12A of the New Jersey Statutes, and each holder or owner of a
19 bond or other obligation, or of any appurtenant coupon, by
20 accepting the bond or coupon shall be conclusively deemed to have
21 agreed that the bond, obligation, or coupon shall be fully negotiable
22 for the purposes of the negotiable instruments law under Title 12A
23 of the New Jersey Statutes.

24

25 12. Neither the members of the committee nor any person
26 executing bonds issued pursuant to P.L. , c. (C.) (pending
27 before the Legislature as this bill) shall be liable personally on the
28 bonds by reason of their issuance. Bonds or other obligations
29 issued pursuant to P.L. , c. (C.) (pending before the
30 Legislature as this bill) shall not be a debt or liability of the State,
31 and bonds or other obligations issued by the authority shall not be a
32 debt or liability of the State, of any local unit, of any county, or of
33 any municipality, and shall not create or constitute any
34 indebtedness, liability, or obligation of the State of any local unit,
35 of any county, or of any municipality, either legal, moral, or
36 otherwise, and nothing in P.L. , c. (C.) (pending before the
37 Legislature as this bill) shall be construed to authorize the authority
38 to incur indebtedness on behalf of or to obligate the State, any local
39 unit, county, or municipality.

40

41 13. A bond resolution of an authority providing for or
42 authorizing the issuance of bonds may contain provisions, and the
43 authority shall, in order to secure the payment of the bonds in
44 addition to its other powers, have the power by the provisions in the
45 bond resolution to covenant and agree with the several holders of
46 the bonds, as to the:

47 a. custody, security, use, expenditure, or application of the
48 proceeds of the bonds;

- 1 b. construction and completion, or repair, of the center or a
2 satellite facility;
- 3 c. use, regulation, operation, maintenance, insurance, or
4 disposition of the center, of the authority, or restrictions on the
5 exercise of the powers of the authority to dispose of, limit, or
6 regulate the use of all or any part of the center;
- 7 d. payment of the principal of, or interest on, the bonds, or any
8 other obligations, and the sources and methods thereof, the rank or
9 priority of the bonds or obligations as to any lien or security, or the
10 acceleration of the maturity of the bonds or obligations;
- 11 e. use and disposition of any monies of the authority, including
12 any of the authority's revenues, derived or to be derived from the
13 operation of the center, including any parts that are constructed or
14 acquired as any of the center's parts, extensions, or improvements;
- 15 f. pledging, setting aside, depositing, or acting as trustee for all
16 or any part of the revenues or other monies of the authority to
17 secure the payment of the principal of, or interest on, the bonds or
18 any other obligations, or the payment of expenses of operation or
19 maintenance of the center or satellite facility, and the powers and
20 duties of any trustee;
- 21 g. setting aside moneys out of the revenues or other moneys of
22 the authority including its reserves and sinking funds, and as to the
23 source, custody, security, regulation, application, and disposition of
24 the moneys described in this subsection;
- 25 h. determination or definition of the revenues or of the
26 expenses of operation and maintenance of the center or satellite
27 facilities;
- 28 i. rents, rates, fees, or other charges in connection with the use,
29 products, or services of the center or satellite facilities, including
30 any of the parts, extensions, replacements, or improvements of the
31 center or satellite facilities constructed or acquired, and the fixing,
32 establishment, collection, and enforcement of those charges, the
33 amount of revenues produced, and the disposition and application of
34 the amounts charged or collected;
- 35 j. assumption or payment or discharge of any indebtedness,
36 liens, or other claims relating to the center or satellite facility for
37 any obligations having or which may have a lien on any part of the
38 center;
- 39 k. limitations on the issuance of additional bonds or any other
40 obligations or on the incurrence of indebtedness of the authority;
- 41 l. vesting in a trustee within or without the State any property,
42 rights, powers, and duties in trust as the authority may determine,
43 which may include the rights, powers, and duties of the trustee
44 appointed by the holders of bonds, and limiting or abrogating the
45 right of the holders to appoint a trustee or limiting the rights, duties,
46 and powers of the trustee;

1 m. payment of costs or expenses incident to the enforcement of
2 the bonds or of the provisions of the bond resolutions or of any
3 covenant or contract with the holders of the bonds;

4 n. procedure, if any, by which the terms of any covenant or
5 contract with, or duty to, the holders of the bonds may be amended
6 or abrogated, the amount of bonds that the holders of which must
7 consent, and the manner in which the consent may be given or
8 evidenced; and

9 o. any other matter or course of conduct which, by recital in the
10 bond resolution, is declared to further secure the payment of the
11 principal of, or interest on, the bonds.

12 The provisions of the bond resolution and the related covenants
13 and agreements shall constitute valid and legally binding contracts
14 between the authority and the several holders of the bonds,
15 regardless of the time of issuance of the bonds, and shall be
16 enforceable by any holder or holders by appropriate suit, action, or
17 proceeding in any court of competent jurisdiction, or by proceeding
18 in lieu of prerogative writ.

19
20 14. a. If the bond resolution of an authority authorizing or
21 providing for the issuance of a series of its bonds provides that the
22 bond holders of the series are entitled to the benefits of this section,
23 then, in the event that there is a default in the payment of the
24 principal of, or interest on, any bonds of the series after the bonds
25 become due, whether at maturity or upon call for redemption, and
26 the default shall continue for a period of 30 days, or in the event
27 that the authority fails or refuses to comply with the provisions of
28 P.L. , c. (C.) (pending before the Legislature as this bill) or
29 fails or refuses to carry out and perform the terms of any contract
30 with the holders of those bonds, and that failure or refusal shall
31 continue for a period of 30 days after written notice to the authority
32 of its existence and nature, the holders of 25 percent in aggregate
33 principal amount of the bonds and the series then outstanding by
34 instrument or instruments filed in the office of the Secretary of
35 State and proved or acknowledged in the same manner as a deed to
36 be recorded, the bond holders may appoint a trustee to represent the
37 bond holders of the series for the purposes provided in this section.

38 b. The trustee, appointed pursuant to subsection a. of this
39 section, may and upon written request of the holders of 25 percent
40 in aggregate principal amount of the bonds of the series then
41 outstanding shall, in the trustee's or its own name:

42 (1) by any action, writ, proceeding in lieu of prerogative writ, or
43 other proceeding, enforce all rights of the holders of the bonds,
44 including to require an authority to carry out and perform the terms
45 of a contract with the holders of the bonds or its duties pursuant to
46 P.L. , c. (C.) (pending before the Legislature as this bill);

47 (2) bring an action upon all or any part of the bonds or
48 appurtenant interest coupons or claims;

1 (3) by action, require authority to account as if it were the
2 trustee of an express trust for the holders of the bonds;

3 (4) by action, enjoin any acts that may be unlawful or in
4 violation of the rights of the holders of the bonds; and

5 (5) declare all the bonds due and payable, whether or not in
6 advance of maturity, upon 30 days' prior notice in writing to the
7 authority and, if all defaults shall be made good, then with the
8 consent of the holders of 25 percent of the principal amount of the
9 bonds then outstanding, annul the declaration and its consequences.

10 c. The trustee shall, in addition to the powers provided in
11 subsections a. and b. of this section, possess all of the powers
12 necessary for the exercise of the functions specifically set forth
13 herein or incident to the general representation of the holders of
14 bonds of the series in the enforcement and protection of their rights.

15 d. In any action or proceeding by the trustee, the fees, counsel
16 fees and expenses of the trustee and of the receiver, if any,
17 appointed pursuant to P.L. , c. (C.) (pending before the
18 Legislature as this bill), shall constitute taxable costs and
19 disbursements, and all costs and disbursements, allowed by the
20 court, shall be a first charge upon any service charges and system
21 revenues of the authority pledged for the payment or security of
22 bonds of the series.

23

24 15. If the bond resolution of an authority authorizing or
25 providing for the issuance of a series of its bonds provides that the
26 bond holders of the series are entitled to the benefits of section 14
27 of P.L. , c. (C.) (pending before the Legislature as this bill),
28 and further provides that any trustee appointed pursuant to that
29 section or having the powers of a trustee shall have the powers
30 provided by this section, then the trustee, whether or not all of the
31 bonds of the series have been declared due and payable, shall be
32 entitled as of right to the appointment of a receiver of the assets of
33 the authority, and the receiver may enter upon and take possession
34 of the assets of the authority and, subject to any pledge or contract
35 with the holders of the bonds, shall take possession of all monies
36 and other property derived from or applicable to the acquisition,
37 construction, operation, maintenance, or reconstruction of the assets
38 of the authority, and proceed with the acquisition, construction,
39 operation, maintenance, or reconstruction that an authority is under
40 an obligation to do, and operate, maintain, and reconstruct a center,
41 and fix, charge, collect, enforce, and receive the revenues thereafter
42 arising subject to any pledge thereof or contract with the holders of
43 the bonds and perform the public duties and carry out the contracts
44 and obligations of an authority in the same manner as the authority,
45 and under the direction of the court.

46

47 16. All property of an authority shall be exempt from levy and
48 sale by virtue of an execution of a court of competent jurisdiction

1 and no execution or other judicial process shall issue against an
2 authority nor shall any judgment against an authority be a charge or
3 lien upon its property, provided that nothing in this section shall
4 apply to or limit the rights of the holder of any bonds to pursue a
5 remedy for the enforcement of any pledge or lien given by an
6 authority, revenues, or other monies.

7
8 17. Notwithstanding the provisions of any law to the contrary,
9 the State and all public officers, municipalities, counties, political
10 subdivisions of public bodies, and agencies thereof, all banks,
11 bankers, trust companies, savings banks and institutions, building
12 and loan associations, savings and loan associations, investment
13 companies, and other persons carrying on a banking business, all
14 insurance companies, insurance associations, and other persons
15 carrying on an insurance business, and all executors, administrators,
16 guardians, trustees, and other fiduciaries, may legally invest any
17 sinking funds, monies, or other funds, in any bonds of an authority,
18 and the bonds shall be authorized security for public deposits.

19
20 18. The center, any satellite facilities, and any associated
21 property or projects owned by an authority, including any pro rata
22 share of any property that is owned by an authority in conjunction
23 with any other person or public agency and used in connection with
24 a center shall be public property and devoted to an essential public
25 and governmental function and purpose, and the property, an
26 authority, and its income shall be exempt from taxes and special
27 assessments of the State or any subdivision of the State. The bonds
28 issued by the authority shall be for an essential public and
29 governmental purpose and to be a public instrumentality in the
30 bonds, and the interest and the income and funds, revenues, and
31 other monies pledged or available to pay or secure the payment of
32 the bonds, or interest, shall be exempt from taxation except for
33 transfer, inheritance and estate taxes, and taxes on transfers by or in
34 contemplation of death.

35
36 19. The State of New Jersey shall pledge to and covenant and
37 agree with the holders of any bonds issued pursuant to a bond
38 resolution of the authority, that the State shall not limit or alter the
39 rights vested in an authority to acquire, construct, operate, and
40 participate in the construction and operation of a center, and to
41 fulfill the terms of any agreement made with the holders of the
42 bonds or other obligations, shall not in any way impair the rights or
43 remedies of these holders, and shall not modify in any way the
44 exemptions from taxation provided for in P.L. , c. (C.)
45 (pending before the Legislature as this bill) until the bonds, together
46 with their interest, with interest on any unpaid installments of
47 interest, and all costs and expenses in connection with an action or

1 proceeding by or on behalf of these holders, are fully met and
2 discharged.

3
4 20. All banks, bankers, trust companies, savings banks,
5 investment companies, and other persons carrying on a banking
6 business shall be authorized to give to an authority a sufficient
7 undertaking with those sureties as shall be approved by the
8 authority to the effect that the bank or banking institution shall
9 faithfully keep and pay over to the order of or upon the warrant of
10 an authority or its authorized agent, all funds as may be deposited
11 with it by the authority and agreed interest, at times or upon
12 demands as may be agreed with the authority or in lieu of these
13 sureties, deposit with the authority or its agent or any trustee
14 therefor or for the holders of any bonds, as collateral, the securities
15 as the authority may approve. The deposits of the authority may be
16 evidenced or secured by a depository collateral agreement in a form
17 and upon terms and conditions as may be agreed upon by the
18 authority and the bank or banking institution.

19
20 21. An authority shall conduct an annual audit of its accounts,
21 and for this purpose shall employ a certified public accountant
22 licensed pursuant to the laws of the State. The audit shall be
23 completed and filed with the authority within four months after the
24 close of its fiscal year and the authority shall file a certified
25 duplicate with the Director of the Division of Local Government
26 Services in the Department of Community Affairs within five days
27 after the original report is filed with the authority.

28
29 22. The authority shall file a copy of each bond resolution
30 adopted by it with the Director of the Division of Local
31 Government Services in the Department of Community Affairs,
32 together with a summary of the dates, amounts, maturities, and
33 interest rates of the issued bonds.

34
35 23. Anything not considered in P.L. , c. (C.) (pending
36 before the Legislature as this bill) but necessary for the operation of
37 the authority shall be negotiated in the agreement between the
38 authority and the participating counties.

39
40 24. This act shall take effect immediately.

41
42
43 STATEMENT
44
45 Implementation of this bill is to result in the removal of
46 corrections costs from the budget of participating counties, and a
47 corresponding cap adjustment. This bill provides that one or a
48 combination of two or more county governing bodies, may, by

1 adoption of an ordinance or parallel ordinances or resolutions, as
2 appropriate, establish a regional rehabilitation and reentry center
3 authority (authority) to develop and operate a regional rehabilitation
4 and reentry center (center). Upon adoption of the parallel
5 ordinances or resolutions, the counties are to negotiate and agree to
6 a proposed inter-county agreement (agreement) for the operation of
7 the authority. Copies of a proposed inter-county agreement are to
8 be submitted to the Local Finance Board for review and
9 consideration. The Local Finance Board is to file its approval or
10 denial with the clerk of the board of commissioners. If the Local
11 Finance Board does not deny a proposed agreement within 60 days
12 of receipt, the proposed agreement is to be deemed approved and
13 the authority is to be established in accordance with the terms of the
14 agreement. A county may request to become a member of the
15 authority by negotiating an amended inter-county agreement with
16 the authority, through the management committee. Upon entry into
17 a proposed amended inter-county agreement, the authority is to
18 submit the proposed amended inter-county agreement to the Local
19 Finance Board for approval or denial of the proposed amended
20 agreement.

21 The bill provides that an inter-county agreement establishing an
22 authority is to provide certain requirements enumerated in the bill.

23 The bill provides that an authority is to be a public body politic
24 and corporate, established as an instrumentality exercising public
25 and essential governmental functions to provide for the public
26 health and welfare. The authority is to have the duties, privileges,
27 immunities, rights, liabilities, and disabilities of a public body
28 politic and corporate and is to have taxing power. The authority is
29 to be a "contracting unit" for purposes of the "Local Public
30 Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), is to have
31 perpetual succession until termination or dissolution in accordance
32 with the agreement, and is to have certain powers enumerated in the
33 bill.

34 In order to construct and operate the center and any satellite
35 facilities, the bill authorizes the authority to have the power to issue
36 bonds for the purpose of raising funds to pay the cost of any part of
37 the construction or operation of the center and to fund or refund any
38 bonds. Upon adoption of a bond resolution, the authority is to have
39 the power to incur indebtedness, borrow money, and issue its bonds
40 for the purpose of financing the construction or operation of the
41 center to meet the needs of its counties or of funding or refunding
42 the bonds issued pursuant to the bill. The bonds are to be
43 authorized by the bond resolution and may include terms as the
44 bond resolution may provide.

45 The bill provides that an authority may file a copy of a bond
46 resolution adopted by the management committee in its office and
47 in the office of the clerk of the governing body of each county, and

1 may publish, in a newspaper published or circulating in each
2 county's community, a notice stating certain information.

3 A bond or other obligation issued pursuant to the bill is to be
4 fully negotiable for the purposes of the negotiable instruments law
5 under Title 12A of the New Jersey Statutes, and each holder or
6 owner of a bond or other obligation, or of any coupon appurtenant
7 thereto, by accepting the bond or coupon is to be conclusively
8 deemed to have agreed that the bond, obligation, or coupon and is
9 to be fully negotiable for the purposes of the negotiable instruments
10 law under Title 12A of the New Jersey Statutes. The bill specifies
11 that neither the members of the committee nor any person executing
12 are to be liable personally on the bonds by reason of their issuance.
13 Bonds or other obligations issued by the authority are not to be a
14 debt or liability of the State, of any local unit, of any county, or of
15 any municipality, and are not to create or constitute any
16 indebtedness, liability, or obligation of the State, of any local unit,
17 of any county, or of any municipality, either legal, moral, or
18 otherwise.

19 The bill provides that a bond resolution of an authority providing
20 for or authorizing the issuance of bonds may contain provisions,
21 and the authority is to, in order to secure the payment of the bonds
22 in addition to its other powers, have the power by the provisions in
23 the bond resolution to covenant and agree with the several holders
24 of the bonds, as to certain provisions enumerated in the bill. If the
25 bond resolution of an authority authorizing or providing for the
26 issuance of a series of its bonds provides in substance that the
27 holders of the bonds of the series are entitled to the benefits of the
28 bill, then, in the event that there is a default in the payment of the
29 principal of, or interest on, any bonds of the series after the bonds
30 shall become due, the bond holders may appoint a trustee to
31 represent the bond holders of the series for the purposes provided in
32 this bill.

33 The bill provides that property of an authority is to be exempt
34 from levy and sale by virtue of an execution of a court of competent
35 jurisdiction and no execution or other judicial process is to issue
36 against an authority nor any judgment against an authority be a
37 charge or lien upon its property, provided that nothing in this bill is
38 to apply to or limit the rights of the holder of any bonds to pursue
39 any remedy for the enforcement of any pledge or lien given by an
40 authority, revenues, or other monies.

41 Notwithstanding any restriction contained in any other law, the
42 bill provides that the State and all public officers, municipalities,
43 counties, political subdivisions of public bodies, and agencies
44 thereof, all banks, bankers, trust companies, savings banks and
45 institutions, building and loan associations, savings and loan
46 associations, investment companies, and other persons carrying on a
47 banking business, all insurance companies, insurance associations,
48 and other persons carrying on an insurance business, and all

1 executors, administrators, guardians, trustees, and other fiduciaries,
2 may legally invest any sinking funds, monies, or other funds
3 belonging to them or within their control, in any bonds of an
4 authority, and the bonds are to be authorized security for public
5 deposits.

6 The bill provides that a center, any satellite facility, and any
7 associated property or projects owned by an authority, including
8 any pro rata share of any property that is owned by an authority in
9 conjunction with any other person or public agency and used in
10 connection with a center, and all other property of an authority, is to
11 be public property and devoted to an essential public and
12 governmental function and purpose, and the property, an authority,
13 and its income are to be exempt from taxes and special assessments
14 of the State or any subdivision of the State. The bonds issued by
15 the authority are to be for an essential public and governmental
16 purpose and the interest and the income and all funds, revenues, and
17 other monies pledged or available to pay or secure the payment of
18 the bonds, or interest, shall be exempt from taxation except for
19 transfer, inheritance and estate taxes, and taxes on transfers by or in
20 contemplation of death.

21 The bill requires the authority to conduct an annual audit of its
22 accounts, and to file a copy of each bond resolution adopted by it
23 with the Director of the Division of Local Government Services in
24 the Department of Community Affairs.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5835

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2023

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 5835.

As amended and reported by the committee, the implementation of this bill would result in the removal of corrections costs from the budget of participating counties, and a corresponding cap adjustment. The bill provides that one or a combination of two or more county governing bodies, may, by adoption of an ordinance or resolution or parallel ordinances or resolutions, as appropriate, establish a regional rehabilitation and reentry center authority (authority) to develop and operate a regional rehabilitation and reentry center (center). Upon adoption of the parallel ordinances or resolutions, the counties are to negotiate and agree to a proposed inter-county agreement (agreement) for the operation of the authority. Copies of a proposed inter-county agreement are to be submitted to the Local Finance Board for review and consideration. The Local Finance Board is to file its approval or denial with the clerk of the board of commissioners. If the Local Finance Board does not deny a proposed agreement within 60 days of receipt, the proposed agreement is to be deemed approved and the authority is to be established in accordance with the terms of the agreement. A county may request to become a member of the authority by negotiating an amended inter-county agreement with the authority, through the management committee. Upon entry into a proposed amended inter-county agreement, the authority is to submit the proposed amended inter-county agreement to the Local Finance Board for approval or denial of the proposed amended agreement.

The bill provides that an inter-county agreement establishing an authority is to provide certain requirements enumerated in the bill.

The bill provides that an authority is to be a public body politic and corporate, established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare. The authority is to have the duties, privileges, immunities, rights, liabilities, and disabilities of a public body politic and corporate and is to have taxing power. The authority is to be a "contracting unit" for purposes of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), is to have

perpetual succession until termination or dissolution in accordance with the agreement, and is to have certain powers enumerated in the bill.

In order to construct and operate the center and any satellite facilities, the bill authorizes the authority to have the power to issue bonds for the purpose of raising funds to pay the cost of any part of the construction or operation of the center and to fund or refund any bonds. Upon adoption of a bond resolution, the authority is to have the power to incur indebtedness, borrow money, and issue its bonds for the purpose of financing the construction or operation of the center to meet the needs of its counties or of funding or refunding the bonds issued pursuant to the bill. The bonds are to be authorized by the bond resolution and may include terms as the bond resolution may provide.

The bill provides that an authority may file a copy of a bond resolution adopted by the management committee in its office and in the office of the clerk of the governing body of each county, and may publish, in a newspaper published or circulating in each county's community, a notice stating certain information.

A bond or other obligation issued pursuant to the bill is to be fully negotiable for the purposes of the negotiable instruments law under Title 12A of the New Jersey Statutes, and each holder or owner of a bond or other obligation, or of any coupon appurtenant thereto, by accepting the bond or coupon is to be conclusively deemed to have agreed that the bond, obligation, or coupon and is to be fully negotiable for the purposes of the negotiable instruments law under Title 12A of the New Jersey Statutes. The bill specifies that neither the members of the committee nor any person executing are to be liable personally on the bonds by reason of their issuance. Bonds or other obligations issued by the authority are not to be a debt or liability of the State, of any local unit, of any county, or of any municipality, and are not to create or constitute any indebtedness, liability, or obligation of the State, of any local unit, of any county, or of any municipality, either legal, moral, or otherwise.

The bill provides that a bond resolution of an authority providing for or authorizing the issuance of bonds may contain provisions, and the authority is to, in order to secure the payment of the bonds in addition to its other powers, have the power by the provisions in the bond resolution to covenant and agree with the several holders of the bonds as to certain provisions enumerated in the bill. If the bond resolution of an authority authorizing or providing for the issuance of a series of its bonds provides in substance that the holders of the bonds of the series are entitled to the benefits of the bill, then, in the event that there is a default in the payment of the principal of, or interest on, any bonds of the series after the bonds shall become due, the bond holders may appoint a trustee to

represent the bond holders of the series for the purposes provided in this bill.

The bill provides that property of an authority is to be exempt from levy and sale by virtue of an execution of a court of competent jurisdiction and no execution or other judicial process is to issue against an authority nor any judgment against an authority be a charge or lien upon its property, provided that nothing in this bill is to apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by an authority, revenues, or other monies.

Notwithstanding any restriction contained in any other law, the bill provides that the State and all public officers, municipalities, counties, political subdivisions of public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries, may legally invest any sinking funds, monies, or other funds belonging to them or within their control, in any bonds of an authority, and the bonds are to be authorized security for public deposits.

The bill provides that a center, any satellite facility, and any associated property or projects owned by an authority, including any pro rata share of any property that is owned by an authority in conjunction with any other person or public agency and used in connection with a center, and all other property of an authority, is to be public property and devoted to an essential public and governmental function and purpose, and the property, an authority, and its income are to be exempt from taxes and special assessments of the State or any subdivision of the State. The bonds issued by the authority are to be for an essential public and governmental purpose and the interest and the income and all funds, revenues, and other monies pledged or available to pay or secure the payment of the bonds, or interest, shall be exempt from taxation except for transfer, inheritance and estate taxes, and taxes on transfers by or in contemplation of death.

The bill requires the authority to conduct an annual audit of its accounts, and to file a copy of each bond resolution adopted by it with the Director of the Division of Local Government Services in the Department of Community Affairs.

COMMITTEE AMENDMENTS

The committee amendments:

(1) clarify that whether acting alone or in a combination of one or more counties, a county governing body may establish a regional

rehabilitation and reentry center authority by adopting an ordinance or a resolution. Under the bill as introduced, a single county governing body acting to establish an authority was limited to doing so by adopting an ordinance; and

(2) make technical changes.

SENATE, No. 4134

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED NOVEMBER 30, 2023

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

Authorizes regional authority to develop and operate regional rehabilitation and reentry center.

CURRENT VERSION OF TEXT

As introduced.



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2

1 AN ACT authorizing the establishment of a regional authority to
2 develop and operate a rehabilitation and reentry center and
3 supplementing Title 40A of the New Jersey Statutes.

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

7
8 1. This act shall be known and may be cited as the "Regional
9 Rehabilitation and Reentry Center Authority Act."

10
11 2. As used in P.L. , c. (C.) (pending before the
12 Legislature as this bill):

13 "Authority" means a regional rehabilitation and reentry center
14 authority established pursuant to section 3 of P.L. , c. (C.)
15 (pending before the Legislature as this bill).

16 "Bonds" means any bonds, interim certificates, notes,
17 debentures, or other obligations issued by the authority pursuant to
18 P.L. , c. (C.) (pending before the Legislature as this bill).

19 "Center" means a regional rehabilitation and reentry center
20 developed, maintained, and operated by an authority pursuant to
21 section 3 of P.L. , c. (C.) (pending before the Legislature as
22 this bill).

23 "Inter-county agreement" or "agreement" means an agreement as
24 provided in section 3 of P.L. , c. (C.) (pending before the
25 Legislature as this bill), defining the rights and responsibilities of
26 the authority and its members, as may be amended.

27 "Local Finance Board" means the Local Finance Board in the
28 Division of Local Government Services in the Department of
29 Community Affairs.

30 "Management committee" or "committee" means a management
31 committee established pursuant to section 4 of P.L. , c. (C.)
32 (pending before the Legislature as this bill).

33
34 3. a. One or more county governing bodies, may, by adoption
35 of an ordinance or parallel ordinances or resolutions, as appropriate,
36 establish a regional rehabilitation and reentry center authority to
37 develop, construct, maintain, and operate a regional rehabilitation
38 and reentry center. Upon adoption of the parallel ordinances or
39 resolutions, the counties shall negotiate and agree to a proposed
40 inter-county agreement for the operation of the authority. The
41 counties that enter into the inter-county agreement may amend the
42 agreement as provided in subsection c. of this section.

43 b. Copies of a proposed inter-county agreement shall be
44 submitted to the Local Finance Board for review and consideration.
45 The Local Finance Board shall approve or deny the agreement and
46 file its approval or denial with the clerk of the board of
47 commissioners of each county seeking to enter the agreement. If
48 the Local Finance Board does not deny the proposed agreement

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1 within 60 days of receipt, the proposed agreement shall be deemed
2 approved and the authority shall be established in accordance with
3 the terms of the agreement.

4 c. A county may request to become a member of the authority
5 by negotiating an amended inter-county agreement with the
6 authority, through the management committee. Upon entry into a
7 proposed amended inter-county agreement, the authority shall
8 submit the proposed amended inter-county agreement to the Local
9 Finance Board for approval or denial of the proposed amended
10 agreement. If the Local Finance Board does not deny a proposed
11 amended agreement within 60 days of receipt, the proposed
12 amended agreement shall be deemed approved.

13

14 4. An inter-county agreement made pursuant to section 3 of
15 P.L. , c. (C.) (pending before the Legislature as this bill)
16 shall provide:

17 a. the name and purpose of the authority and the functions and
18 services to be provided by the authority;

19 b. the establishment and organization of a governing committee
20 for the authority, which shall be known as the management
21 committee, in which the powers of the authority shall be vested.
22 The management committee shall be comprised of one
23 representative from each county who shall:

24 (1) be annually appointed by the board of commissioners of the
25 county;

26 (2) hold the position for a period of one year, commencing on
27 January 1 of each year; and

28 (3) be authorized to choose a designee to execute the duties of
29 their position;

30 c. if there are an even number of counties, the county with the
31 greatest number of inmates and pretrial detainees to be housed at
32 the center at its opening and for any subsequent year the greatest
33 number housed at the center as of November 1 in the year prior,
34 shall appoint an additional committee member for a term of one
35 year, commencing January 1 of each year;

36 d. the manner of selection of a head warden of the regional
37 rehabilitation and reentry center and any related satellite facilities
38 and the wardens that shall represent each county;

39 e. the manner of selection and duties of the director, deputy
40 director, treasurer, chief financial officer, and secretary, who all
41 shall serve a term of one year commencing January 1 of each year,
42 and the selection of any other officers or authority staff, as
43 determined by the committee;

44 f. the voting requirements for action by the committee,
45 including the requirements for how many members constitute a
46 quorum;

47 g. the duties of the committee, which shall include the
48 obligation to comply with the "Local Authorities Fiscal Control

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1 Law," P.L.1983, c.313 (C.40A:5A-1 et seq.) except as otherwise
2 provided in P.L. , c. (C.) (pending before the Legislature as
3 this bill), and the laws of this State and, in addition, with every
4 provision in the inter-county agreement creating the authority on its
5 part to be kept or performed;

6 h. in the event of a committee vacancy, the vacancy shall be
7 filled by a majority vote of the management committee at the next
8 meeting following the date of vacancy on an interim basis, until the
9 time that the appointing board of county commissioners makes a
10 formal appointment to the committee for the remainder of the term;

11 i. the manner in which counties may withdraw from
12 participation in the inter-county agreement;

13 j. provisions for the disposition, division, or distribution of any
14 property or assets of the authority on dissolution;

15 k. the terms of the inter-county agreement and the method, if
16 any, by which the inter-county agreement may be rescinded or
17 terminated; however, the inter-county agreement shall not be
18 rescinded or terminated so long as the authority has bonds
19 outstanding, unless provision for full payment of the bonds, by
20 escrow or otherwise, has been made pursuant to the terms of the
21 bonds or the resolution, trust indenture, or security instrument
22 securing the bonds; and

23 l. that the management committee shall conduct meetings in
24 conformity with the "Senator Byron M. Baer Open Public Meetings
25 Act," P.L.1975, c.231 (C.10:4-6 et seq.) and shall meet at least once
26 during each quarter of the calendar year, with special meetings
27 convened by the director or upon the request of at least two
28 committee members, with at least 48 hours' notice by telephone or
29 email to all members of the management committee.

30

31 5. An officer or employee of an authority shall not have or
32 acquire an interest, direct or indirect, in property, a contract, or a
33 proposed contract for materials, services, or supplies to be
34 furnished, to or used by, the authority, any of the counties, or the
35 center.

36

37 6. An authority shall be a public body politic and corporate,
38 established as an instrumentality exercising public and essential
39 governmental functions to provide for the public health and welfare.
40 The authority shall have the duties, privileges, immunities, rights,
41 liabilities, and disabilities of a public body politic and corporate and
42 shall have taxing power. The authority shall be a "contracting unit"
43 for purposes of the "Local Public Contracts Law," P.L.1971, c.198
44 (C.40A:11-1 et seq.), shall have perpetual succession until
45 termination or dissolution in accordance with the agreement, and
46 shall have the powers to:

47 a. adopt and have a common seal and to alter the same at
48 pleasure;

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- 1 b. sue and be sued;
- 2 c. acquire, own, rent, hold, lease, as lessor or lessee, use and
3 sell or otherwise dispose of, mortgage, pledge, or grant a security
4 in, any real or personal property, commodity, or service or interest
5 therein;
- 6 d. plan, develop, acquire, construct, reconstruct, operate,
7 manage, dispose of, participate in, maintain, repair, extend, or
8 improve a center or satellite facility, and act as agent, or designate
9 one or more other persons employed by or contracting with the
10 center to act as its agent, in connection with the planning,
11 acquisition, construction, operation, maintenance, repair, extension,
12 or improvement of the center, and provision to the members of
13 rehabilitation and reentry services, to meet the needs of the
14 members and the State, which shall include the hiring of experts to
15 perform a population review and projected bed needs;
- 16 e. make and execute additional contracts and other instruments
17 necessary or convenient to the exercise of its powers;
- 18 f. employ agents and employees, without regard to the
19 provisions of Title 11A, Civil Service, of the New Jersey Statutes,
20 but does not preclude employees from entering or becoming party
21 to a collective bargaining agreement;
- 22 g. contract with any person, entity, or public agency within or
23 outside the State of New Jersey for the construction or operation of
24 the center, or for any interest or share therein, on terms and for a
25 period of time as its committee shall determine;
- 26 h. incur indebtedness through the issuance of bonds, provide
27 for and secure the payment of any bonds and the rights of the
28 holders thereof, and to purchase, hold, and dispose of any bonds;
- 29 i. accept gifts or grants of real or personal property, money,
30 material, labor, or supplies solely for the purposes and exclusive use
31 and benefit of the authority, and to make and perform those
32 agreements and contracts as may be necessary or convenient in
33 connection with the procuring, acceptance, or disposition of the
34 gifts or grants;
- 35 j. make and enforce by-laws or rules and regulations for the
36 management and regulation of its business and affairs and for the
37 use, maintenance, and operation of its properties and to amend its
38 by-laws;
- 39 k. do and perform any acts and things authorized by P.L. , c.
40 (C.) (pending before the Legislature as this bill), through or by
41 means of its own officers, agents, and employees, or by contract
42 with any person;
- 43 l. enter into contracts, execute instruments, and do and
44 perform all things necessary, convenient, or desirable for the
45 purposes of the authority, or to carry out any power expressly
46 authorized under P.L. , c. (C.) (pending before the
47 Legislature as this bill);

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1 m. join organizations, including private or trade organizations,
2 which the committee has deemed to be beneficial to the
3 accomplishment of the authority's purposes;

4 n. invest any funds held in reserve or sinking funds, or any
5 funds not required for immediate disbursement, including the
6 proceeds from the sale of any bonds, in those obligations, securities,
7 and other investments as the authority deems to be proper and are
8 authorized pursuant to law.

9 o. introduce an annual budget by January 26 of each year and
10 adopt a budget by February 25th of each year. Procedures for
11 budget introduction and adoption shall be made pursuant to the
12 "Local Budget Law," N.J.S.40A:4-1 et seq., be subject to the cap on
13 calculation of adjusted tax levy by local units pursuant to
14 N.J.S.40A:4-45.45, and shall include the following:

15 (1) an amount to be raised by taxation, which shall be conveyed
16 to the Board of Taxation in each participation county within 15 days
17 of the adoption of the budget;

18 (2) the chief financial officer of the authority shall certify the
19 Average Daily Population (ADP) of the inmates from each
20 participating county, for the previous year, by February 1st of each
21 year;

22 (3) based on the ADP, the chief financial officer of the authority
23 shall certify each county's proportional share of inmates for the
24 previous year. By February 15th of each year, the proportional
25 share for each county shall be conveyed to the appropriate County
26 Board of Taxation, to be used to calculate the amount of taxes to be
27 levied in each of the participating counties. These taxes shall be
28 assessed, levied, and collected within the respective taxing districts
29 in the manner prescribed by law; and

30 (4) in each local budget year in which the function of a county
31 jail is transferred from the county government to the authority, the
32 county shall deduct from its final appropriations upon which its
33 permissible county tax levy is calculated, the amount which the
34 county expended for that function during the last full budget year it
35 was included in the county budget.

36

37 7. a. In order to construct and operate the center, the authority
38 shall have the power to authorize or provide for the issuance of
39 bonds pursuant to P.L. , c. (C.) (pending before the
40 Legislature as this bill) for the purpose of raising funds to pay the
41 cost of the construction or operation of the center and to fund or
42 refund any bonds.

43 b. The authority, prior to any bond issuance, shall adopt a bond
44 resolution that shall:

45 (1) describe in brief and general terms sufficient for reasonable
46 identification the center or part thereof, to be constructed or
47 acquired, or describe the bonds which are to be funded or refunded,
48 if any;

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1 (2) state the cost or estimated cost of the center, if any; and
2 (3) provide for the issuance of the bonds in accordance with
3 sections 8 through 15 of P.L. , c. (C. through C.)
4 (pending before the Legislature as this bill).

5
6 8. Upon adoption of a bond resolution, the management
7 committee, on behalf of the authority, shall have power to incur
8 indebtedness, borrow money, and issue bonds for the purpose of
9 financing the construction or operation of the center and any
10 satellite facilities to meet the needs of its members or of funding or
11 refunding the bonds issued pursuant to P.L. , c. (C.)
12 (pending before the Legislature as this bill). The bonds shall be
13 authorized by the bond resolution and may be issued in one or more
14 series and shall bear the date or dates, mature at a time or times not
15 exceeding 40 years from the date thereof or through the date for the
16 expected dissolution of the authority pursuant to the agreement,
17 whichever occurs first, bear interest at a rate or rates within a
18 maximum rate as permitted by law, be in a denomination or
19 denominations, be in a form, either coupon or registered, carry
20 conversion or registration privileges, have a rank or priority, be
21 executed in a manner, be payable from sources in a medium of
22 payment at a place or places within or without the State, and be
23 subject to the terms of redemption, with or without a premium, as
24 the bond resolution may provide.

25
26 9. An authority may sell bonds at public or private sale, and at
27 a price or prices the authority shall determine subject to the
28 provisions of the "Local Authorities Fiscal Control Law," P.L.1983,
29 c.313 (C.40A:5A-1 et seq.).

30
31 10. An authority shall file a copy of a bond resolution adopted
32 by the management committee in its office and in the office of the
33 clerk of the board of commissioners, and may publish, in a
34 newspaper published or circulating in each county's community, a
35 notice stating the fact and date of adoption of the bond resolution
36 and the places where the authority has filed the bond resolution for
37 public inspection, the date of the first publication of the notice, and
38 that an action or proceeding in a court questioning the validity or
39 proper authorization of bonds provided for by the bond resolution,
40 or the validity of any covenants, agreements, or contract provided
41 for by the bond resolution, shall commence within 20 days after the
42 first publication of the notice. If the notice shall be published and if
43 no action or proceeding questioning the validity of the
44 establishment of the authority or the validity or proper authorization
45 of bonds provided for by the bond resolution referred to in the
46 notice, or the validity of any covenants, agreements, or contract
47 provided for by the bond resolution shall be commenced or
48 instituted within 20 days after the first publication of the notice,

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1 then the residents, taxpayers, and owners of property in each of the
2 counties, and all other persons, shall be barred and foreclosed from
3 instituting or commencing any action or proceeding in any court, or
4 from pleading any defense to any action or proceedings, questioning
5 the validity of the establishment of the authority, the validity or
6 proper authorization of the bonds, or the validity of the covenants,
7 agreements, or contracts. The authority shall be conclusively
8 deemed to have been validly established and to be authorized to
9 transact business and exercise powers as an authority pursuant to
10 P.L. , c. (C.) (pending before the Legislature as this bill),
11 and the bonds, covenants, agreements, and contracts shall be
12 conclusively deemed to be valid and binding obligations in
13 accordance with their terms and tenor.

14

15 11. A bond or other obligation issued pursuant to P.L. , c.
16 (C.) (pending before the Legislature as this bill) shall be fully
17 negotiable for the purposes of the negotiable instruments law under
18 Title 12A of the New Jersey Statutes, and each holder or owner of a
19 bond or other obligation, or of any appurtenant coupon, by
20 accepting the bond or coupon shall be conclusively deemed to have
21 agreed that the bond, obligation, or coupon shall be fully negotiable
22 for the purposes of the negotiable instruments law under Title 12A
23 of the New Jersey Statutes.

24

25 12. Neither the members of the committee nor any person
26 executing bonds issued pursuant to P.L. , c. (C.) (pending
27 before the Legislature as this bill) shall be liable personally on the
28 bonds by reason of their issuance. Bonds or other obligations
29 issued pursuant to P.L. , c. (C.) (pending before the
30 Legislature as this bill) shall not be a debt or liability of the State,
31 and bonds or other obligations issued by the authority shall not be a
32 debt or liability of the State, of any local unit, of any county, or of
33 any municipality, and shall not create or constitute any
34 indebtedness, liability, or obligation of the State of any local unit,
35 of any county, or of any municipality, either legal, moral, or
36 otherwise, and nothing in P.L. , c. (C.) (pending before the
37 Legislature as this bill) shall be construed to authorize the authority
38 to incur indebtedness on behalf of or to obligate the State, any local
39 unit, county, or municipality.

40

41 13. A bond resolution of an authority providing for or
42 authorizing the issuance of bonds may contain provisions, and the
43 authority shall, in order to secure the payment of the bonds in
44 addition to its other powers, have the power by the provisions in the
45 bond resolution to covenant and agree with the several holders of
46 the bonds, as to the:

47 a. custody, security, use, expenditure, or application of the
48 proceeds of the bonds;

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- 1 b. construction and completion, or repair, of the center or a
2 satellite facility;
- 3 c. use, regulation, operation, maintenance, insurance, or
4 disposition of the center, of the authority, or restrictions on the
5 exercise of the powers of the authority to dispose of, limit, or
6 regulate the use of all or any part of the center;
- 7 d. payment of the principal of, or interest on, the bonds, or any
8 other obligations, and the sources and methods thereof, the rank or
9 priority of the bonds or obligations as to any lien or security, or the
10 acceleration of the maturity of the bonds or obligations;
- 11 e. use and disposition of any monies of the authority, including
12 any of the authority's revenues, derived or to be derived from the
13 operation of the center, including any parts that are constructed or
14 acquired as any of the center's parts, extensions, or improvements;
- 15 f. pledging, setting aside, depositing, or acting as trustee for all
16 or any part of the revenues or other monies of the authority to
17 secure the payment of the principal of, or interest on, the bonds or
18 any other obligations, or the payment of expenses of operation or
19 maintenance of the center or satellite facility, and the powers and
20 duties of any trustee;
- 21 g. setting aside moneys out of the revenues or other moneys of
22 the authority including its reserves and sinking funds, and as to the
23 source, custody, security, regulation, application, and disposition of
24 the moneys described in this subsection;
- 25 h. determination or definition of the revenues or of the
26 expenses of operation and maintenance of the center or satellite
27 facilities;
- 28 i. rents, rates, fees, or other charges in connection with the use,
29 products, or services of the center or satellite facilities, including
30 any of the parts, extensions, replacements, or improvements of the
31 center or satellite facilities constructed or acquired, and the fixing,
32 establishment, collection, and enforcement of those charges, the
33 amount of revenues produced, and the disposition and application of
34 the amounts charged or collected;
- 35 j. assumption or payment or discharge of any indebtedness,
36 liens, or other claims relating to the center or satellite facility for
37 any obligations having or which may have a lien on any part of the
38 center;
- 39 k. limitations on the issuance of additional bonds or any other
40 obligations or on the incurrence of indebtedness of the authority;
- 41 l. vesting in a trustee within or without the State any property,
42 rights, powers, and duties in trust as the authority may determine,
43 which may include the rights, powers, and duties of the trustee
44 appointed by the holders of bonds, and limiting or abrogating the
45 right of the holders to appoint a trustee or limiting the rights, duties,
46 and powers of the trustee;

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1 m. payment of costs or expenses incident to the enforcement of
2 the bonds or of the provisions of the bond resolutions or of any
3 covenant or contract with the holders of the bonds;

4 n. procedure, if any, by which the terms of any covenant or
5 contract with, or duty to, the holders of the bonds may be amended
6 or abrogated, the amount of bonds that the holders of which must
7 consent, and the manner in which the consent may be given or
8 evidenced; and

9 o. any other matter or course of conduct which, by recital in the
10 bond resolution, is declared to further secure the payment of the
11 principal of, or interest on, the bonds.

12 The provisions of the bond resolution and the related covenants
13 and agreements shall constitute valid and legally binding contracts
14 between the authority and the several holders of the bonds,
15 regardless of the time of issuance of the bonds, and shall be
16 enforceable by any holder or holders by appropriate suit, action, or
17 proceeding in any court of competent jurisdiction, or by proceeding
18 in lieu of prerogative writ.

19

20 14. a. If the bond resolution of an authority authorizing or
21 providing for the issuance of a series of its bonds provides that the
22 bond holders of the series are entitled to the benefits of this section,
23 then, in the event that there is a default in the payment of the
24 principal of, or interest on, any bonds of the series after the bonds
25 become due, whether at maturity or upon call for redemption, and
26 the default shall continue for a period of 30 days, or in the event
27 that the authority fails or refuses to comply with the provisions of
28 P.L. , c. (C.) (pending before the Legislature as this bill) or
29 fails or refuses to carry out and perform the terms of any contract
30 with the holders of those bonds, and that failure or refusal shall
31 continue for a period of 30 days after written notice to the authority
32 of its existence and nature, the holders of 25 percent in aggregate
33 principal amount of the bonds and the series then outstanding by
34 instrument or instruments filed in the office of the Secretary of
35 State and proved or acknowledged in the same manner as a deed to
36 be recorded, the bond holders may appoint a trustee to represent the
37 bond holders of the series for the purposes provided in this section.

38 b. The trustee, appointed pursuant to subsection a. of this
39 section, may and upon written request of the holders of 25 percent
40 in aggregate principal amount of the bonds of the series then
41 outstanding shall, in the trustee's or its own name:

42 (1) by any action, writ, proceeding in lieu of prerogative writ, or
43 other proceeding, enforce all rights of the holders of the bonds,
44 including to require an authority to carry out and perform the terms
45 of a contract with the holders of the bonds or its duties pursuant to
46 P.L. , c. (C.) (pending before the Legislature as this bill);

47 (2) bring an action upon all or any part of the bonds or
48 appurtenant interest coupons or claims;

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1 (3) by action, require authority to account as if it were the
2 trustee of an express trust for the holders of the bonds;

3 (4) by action, enjoin any acts that may be unlawful or in
4 violation of the rights of the holders of the bonds; and

5 (5) declare all the bonds due and payable, whether or not in
6 advance of maturity, upon 30 days' prior notice in writing to the
7 authority and, if all defaults shall be made good, then with the
8 consent of the holders of 25 percent of the principal amount of the
9 bonds then outstanding, annul the declaration and its consequences.

10 c. The trustee shall, in addition to the powers provided in
11 subsections a. and b. of this section, possess all of the powers
12 necessary for the exercise of the functions specifically set forth
13 herein or incident to the general representation of the holders of
14 bonds of the series in the enforcement and protection of their rights.

15 d. In any action or proceeding by the trustee, the fees, counsel
16 fees and expenses of the trustee and of the receiver, if any,
17 appointed pursuant to P.L. , c. (C.) (pending before the
18 Legislature as this bill), shall constitute taxable costs and
19 disbursements, and all costs and disbursements, allowed by the
20 court, shall be a first charge upon any service charges and system
21 revenues of the authority pledged for the payment or security of
22 bonds of the series.

23
24 15. If the bond resolution of an authority authorizing or
25 providing for the issuance of a series of its bonds provides that the
26 bond holders of the series are entitled to the benefits of section 14
27 of P.L. , c. (C.) (pending before the Legislature as this bill),
28 and further provides that any trustee appointed pursuant to that
29 section or having the powers of a trustee shall have the powers
30 provided by this section, then the trustee, whether or not all of the
31 bonds of the series have been declared due and payable, shall be
32 entitled as of right to the appointment of a receiver of the assets of
33 the authority, and the receiver may enter upon and take possession
34 of the assets of the authority and, subject to any pledge or contract
35 with the holders of the bonds, shall take possession of all monies
36 and other property derived from or applicable to the acquisition,
37 construction, operation, maintenance, or reconstruction of the assets
38 of the authority, and proceed with the acquisition, construction,
39 operation, maintenance, or reconstruction that an authority is under
40 an obligation to do, and operate, maintain, and reconstruct a center,
41 and fix, charge, collect, enforce, and receive the revenues thereafter
42 arising subject to any pledge thereof or contract with the holders of
43 the bonds and perform the public duties and carry out the contracts
44 and obligations of an authority in the same manner as the authority,
45 and under the direction of the court.

46
47 16. All property of an authority shall be exempt from levy and
48 sale by virtue of an execution of a court of competent jurisdiction

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1 and no execution or other judicial process shall issue against an
2 authority nor shall any judgment against an authority be a charge or
3 lien upon its property, provided that nothing in this section shall
4 apply to or limit the rights of the holder of any bonds to pursue a
5 remedy for the enforcement of any pledge or lien given by an
6 authority, revenues, or other monies.

7
8 17. Notwithstanding the provisions of any law to the contrary,
9 the State and all public officers, municipalities, counties, political
10 subdivisions of public bodies, and agencies thereof, all banks,
11 bankers, trust companies, savings banks and institutions, building
12 and loan associations, savings and loan associations, investment
13 companies, and other persons carrying on a banking business, all
14 insurance companies, insurance associations, and other persons
15 carrying on an insurance business, and all executors, administrators,
16 guardians, trustees, and other fiduciaries, may legally invest any
17 sinking funds, monies, or other funds, in any bonds of an authority,
18 and the bonds shall be authorized security for public deposits.

19
20 18. The center, any satellite facilities, and any associated
21 property or projects owned by an authority, including any pro rata
22 share of any property that is owned by an authority in conjunction
23 with any other person or public agency and used in connection with
24 a center shall be public property and devoted to an essential public
25 and governmental function and purpose, and the property, an
26 authority, and its income shall be exempt from taxes and special
27 assessments of the State or any subdivision of the State. The bonds
28 issued by the authority shall be for an essential public and
29 governmental purpose and to be a public instrumentality in the
30 bonds, and the interest and the income and funds, revenues, and
31 other monies pledged or available to pay or secure the payment of
32 the bonds, or interest, shall be exempt from taxation except for
33 transfer, inheritance and estate taxes, and taxes on transfers by or in
34 contemplation of death.

35
36 19. The State of New Jersey shall pledge to and covenant and
37 agree with the holders of any bonds issued pursuant to a bond
38 resolution of the authority, that the State shall not limit or alter the
39 rights vested in an authority to acquire, construct, operate, and
40 participate in the construction and operation of a center, and to
41 fulfill the terms of any agreement made with the holders of the
42 bonds or other obligations, shall not in any way impair the rights or
43 remedies of these holders, and shall not modify in any way the
44 exemptions from taxation provided for in P.L. , c. (C.)
45 (pending before the Legislature as this bill) until the bonds, together
46 with their interest, with interest on any unpaid installments of
47 interest, and all costs and expenses in connection with an action or

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1 proceeding by or on behalf of these holders, are fully met and
2 discharged.

3
4 20. All banks, bankers, trust companies, savings banks,
5 investment companies, and other persons carrying on a banking
6 business shall be authorized to give to an authority a sufficient
7 undertaking with those sureties as shall be approved by the
8 authority to the effect that the bank or banking institution shall
9 faithfully keep and pay over to the order of or upon the warrant of
10 an authority or its authorized agent, all funds as may be deposited
11 with it by the authority and agreed interest, at times or upon
12 demands as may be agreed with the authority or in lieu of these
13 sureties, deposit with the authority or its agent or any trustee
14 therefor or for the holders of any bonds, as collateral, the securities
15 as the authority may approve. The deposits of the authority may be
16 evidenced or secured by a depository collateral agreement in a form
17 and upon terms and conditions as may be agreed upon by the
18 authority and the bank or banking institution.

19
20 21. An authority shall conduct an annual audit of its accounts,
21 and for this purpose shall employ a certified public accountant
22 licensed pursuant to the laws of the State. The audit shall be
23 completed and filed with the authority within four months after the
24 close of its fiscal year and the authority shall file a certified
25 duplicate with the Director of the Division of Local Government
26 Services in the Department of Community Affairs within five days
27 after the original report is filed with the authority.

28
29 22. The authority shall file a copy of each bond resolution
30 adopted by it with the Director of the Division of Local
31 Government Services in the Department of Community Affairs,
32 together with a summary of the dates, amounts, maturities, and
33 interest rates of the issued bonds.

34
35 23. Anything not considered in P.L. , c. (C.) (pending
36 before the Legislature as this bill) but necessary for the operation of
37 the authority shall be negotiated in the agreement between the
38 authority and the participating counties.

39
40 24. This act shall take effect immediately.

41

42

43

STATEMENT

44

45 Implementation of this bill is to result in the removal of
46 corrections costs from the budget of participating counties, and a
47 corresponding cap adjustment. This bill provides that one or a
48 combination of two or more county governing bodies, may, by

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1 adoption of an ordinance or parallel ordinances or resolutions, as
2 appropriate, establish a regional rehabilitation and reentry center
3 authority (authority) to develop and operate a regional rehabilitation
4 and reentry center (center). Upon adoption of the parallel
5 ordinances or resolutions, the counties are to negotiate and agree to
6 a proposed inter-county agreement (agreement) for the operation of
7 the authority. Copies of a proposed inter-county agreement are to
8 be submitted to the Local Finance Board for review and
9 consideration. The Local Finance Board is to file its approval or
10 denial with the clerk of the board of commissioners. If the Local
11 Finance Board does not deny a proposed agreement within 60 days
12 of receipt, the proposed agreement is to be deemed approved and
13 the authority is to be established in accordance with the terms of the
14 agreement. A county may request to become a member of the
15 authority by negotiating an amended inter-county agreement with
16 the authority, through the management committee. Upon entry into
17 a proposed amended inter-county agreement, the authority is to
18 submit the proposed amended inter-county agreement to the Local
19 Finance Board for approval or denial of the proposed amended
20 agreement.

21 The bill provides that an inter-county agreement establishing an
22 authority is to provide certain requirements enumerated in the bill.

23 The bill provides that an authority is to be a public body politic
24 and corporate, established as an instrumentality exercising public
25 and essential governmental functions to provide for the public
26 health and welfare. The authority is to have the duties, privileges,
27 immunities, rights, liabilities, and disabilities of a public body
28 politic and corporate and is to have taxing power. The authority is
29 to be a "contracting unit" for purposes of the "Local Public
30 Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), is to have
31 perpetual succession until termination or dissolution in accordance
32 with the agreement, and is to have certain powers enumerated in the
33 bill.

34 In order to construct and operate the center and any satellite
35 facilities, the bill authorizes the authority to have the power to issue
36 bonds for the purpose of raising funds to pay the cost of any part of
37 the construction or operation of the center and to fund or refund any
38 bonds. Upon adoption of a bond resolution, the authority is to have
39 the power to incur indebtedness, borrow money, and issue its bonds
40 for the purpose of financing the construction or operation of the
41 center to meet the needs of its counties or of funding or refunding
42 the bonds issued pursuant to the bill. The bonds are to be
43 authorized by the bond resolution and may include terms as the
44 bond resolution may provide.

45 The bill provides that an authority may file a copy of a bond
46 resolution adopted by the management committee in its office and
47 in the office of the clerk of the governing body of each county, and

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1 may publish, in a newspaper published or circulating in each
2 county's community, a notice stating certain information.

3 A bond or other obligation issued pursuant to the bill is to be
4 fully negotiable for the purposes of the negotiable instruments law
5 under Title 12A of the New Jersey Statutes, and each holder or
6 owner of a bond or other obligation, or of any coupon appurtenant
7 thereto, by accepting the bond or coupon is to be conclusively
8 deemed to have agreed that the bond, obligation, or coupon and is
9 to be fully negotiable for the purposes of the negotiable instruments
10 law under Title 12A of the New Jersey Statutes. The bill specifies
11 that neither the members of the committee nor any person executing
12 are to be liable personally on the bonds by reason of their issuance.
13 Bonds or other obligations issued by the authority are not to be a
14 debt or liability of the State, of any local unit, of any county, or of
15 any municipality, and are not to create or constitute any
16 indebtedness, liability, or obligation of the State, of any local unit,
17 of any county, or of any municipality, either legal, moral, or
18 otherwise.

19 The bill provides that a bond resolution of an authority providing
20 for or authorizing the issuance of bonds may contain provisions,
21 and the authority is to, in order to secure the payment of the bonds
22 in addition to its other powers, have the power by the provisions in
23 the bond resolution to covenant and agree with the several holders
24 of the bonds, as to certain provisions enumerated in the bill. If the
25 bond resolution of an authority authorizing or providing for the
26 issuance of a series of its bonds provides in substance that the
27 holders of the bonds of the series are entitled to the benefits of the
28 bill, then, in the event that there is a default in the payment of the
29 principal of, or interest on, any bonds of the series after the bonds
30 shall become due, the bond holders may appoint a trustee to
31 represent the bond holders of the series for the purposes provided in
32 this bill.

33 The bill provides that property of an authority is to be exempt
34 from levy and sale by virtue of an execution of a court of competent
35 jurisdiction and no execution or other judicial process is to issue
36 against an authority nor any judgment against an authority be a
37 charge or lien upon its property, provided that nothing in this bill is
38 to apply to or limit the rights of the holder of any bonds to pursue
39 any remedy for the enforcement of any pledge or lien given by an
40 authority, revenues, or other monies.

41 Notwithstanding any restriction contained in any other law, the
42 bill provides that the State and all public officers, municipalities,
43 counties, political subdivisions of public bodies, and agencies
44 thereof, all banks, bankers, trust companies, savings banks and
45 institutions, building and loan associations, savings and loan
46 associations, investment companies, and other persons carrying on a
47 banking business, all insurance companies, insurance associations,
48 and other persons carrying on an insurance business, and all

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1 executors, administrators, guardians, trustees, and other fiduciaries,
2 may legally invest any sinking funds, monies, or other funds
3 belonging to them or within their control, in any bonds of an
4 authority, and the bonds are to be authorized security for public
5 deposits.

6 The bill provides that a center, any satellite facility, and any
7 associated property or projects owned by an authority, including
8 any pro rata share of any property that is owned by an authority in
9 conjunction with any other person or public agency and used in
10 connection with a center, and all other property of an authority, is to
11 be public property and devoted to an essential public and
12 governmental function and purpose, and the property, an authority,
13 and its income are to be exempt from taxes and special assessments
14 of the State or any subdivision of the State. The bonds issued by
15 the authority are to be for an essential public and governmental
16 purpose and the interest and the income and all funds, revenues, and
17 other monies pledged or available to pay or secure the payment of
18 the bonds, or interest, shall be exempt from taxation except for
19 transfer, inheritance and estate taxes, and taxes on transfers by or in
20 contemplation of death.

21 The bill requires the authority to conduct an annual audit of its
22 accounts, and to file a copy of each bond resolution adopted by it
23 with the Director of the Division of Local Government Services in
24 the Department of Community Affairs.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 4134

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2023

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 4134.

The implementation of this bill, as amended, would result in the removal of corrections costs from the budget of participating counties, and a corresponding cap adjustment. The bill provides that one or a combination of two or more county governing bodies, may, by adoption of an ordinance or resolution or parallel ordinances or resolutions, as appropriate, establish a regional rehabilitation and reentry center authority (authority) to develop and operate a regional rehabilitation and reentry center (center). Upon adoption of the parallel ordinances or resolutions, the counties are to negotiate and agree to a proposed inter-county agreement (agreement) for the operation of the authority. Copies of a proposed inter-county agreement are to be submitted to the Local Finance Board for review and consideration. The Local Finance Board is to file its approval or denial with the clerk of the board of commissioners. If the Local Finance Board does not deny a proposed agreement within 60 days of receipt, the proposed agreement is to be deemed approved and the authority is to be established in accordance with the terms of the agreement. A county may request to become a member of the authority by negotiating an amended inter-county agreement with the authority, through the management committee. Upon entry into a proposed amended inter-county agreement, the authority is to submit the proposed amended inter-county agreement to the Local Finance Board for approval or denial of the proposed amended agreement.

The bill provides that an inter-county agreement establishing an authority is to provide certain requirements enumerated in the bill.

The bill provides that an authority is to be a public body politic and corporate, established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare. The authority is to have the duties, privileges, immunities, rights, liabilities, and disabilities of a public body politic and corporate and is to have taxing power. The authority is to be a "contracting unit" for purposes of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), is to have

perpetual succession until termination or dissolution in accordance with the agreement, and is to have certain powers enumerated in the bill.

In order to construct and operate the center and any satellite facilities, the bill authorizes the authority to have the power to issue bonds for the purpose of raising funds to pay the cost of any part of the construction or operation of the center and to fund or refund any bonds. Upon adoption of a bond resolution, the authority is to have the power to incur indebtedness, borrow money, and issue its bonds for the purpose of financing the construction or operation of the center to meet the needs of its counties or of funding or refunding the bonds issued pursuant to the bill. The bonds are to be authorized by the bond resolution and may include terms as the bond resolution may provide.

The bill provides that an authority may file a copy of a bond resolution adopted by the management committee in its office and in the office of the clerk of the governing body of each county, and may publish, in a newspaper published or circulating in each county's community, a notice stating certain information.

A bond or other obligation issued pursuant to the bill is to be fully negotiable for the purposes of the negotiable instruments law under Title 12A of the New Jersey Statutes, and each holder or owner of a bond or other obligation, or of any coupon appurtenant thereto, by accepting the bond or coupon is to be conclusively deemed to have agreed that the bond, obligation, or coupon and is to be fully negotiable for the purposes of the negotiable instruments law under Title 12A of the New Jersey Statutes. The bill specifies that neither the members of the committee nor any person executing are to be liable personally on the bonds by reason of their issuance. Bonds or other obligations issued by the authority are not to be a debt or liability of the State, of any local unit, of any county, or of any municipality, and are not to create or constitute any indebtedness, liability, or obligation of the State, of any local unit, of any county, or of any municipality, either legal, moral, or otherwise.

The bill provides that a bond resolution of an authority providing for or authorizing the issuance of bonds may contain provisions, and the authority is to, in order to secure the payment of the bonds in addition to its other powers, have the power by the provisions in the bond resolution to covenant and agree with the several holders of the bonds as to certain provisions enumerated in the bill. If the bond resolution of an authority authorizing or providing for the issuance of a series of its bonds provides in substance that the holders of the bonds of the series are entitled to the benefits of the bill, then, in the event that there is a default in the payment of the principal of, or interest on, any bonds of the series after the bonds shall become due, the bond holders may appoint a trustee to

represent the bond holders of the series for the purposes provided in this bill.

The bill provides that property of an authority is to be exempt from levy and sale by virtue of an execution of a court of competent jurisdiction and no execution or other judicial process is to issue against an authority nor any judgment against an authority be a charge or lien upon its property, provided that nothing in this bill is to apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by an authority, revenues, or other monies.

Notwithstanding any restriction contained in any other law, the bill provides that the State and all public officers, municipalities, counties, political subdivisions of public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries, may legally invest any sinking funds, monies, or other funds belonging to them or within their control, in any bonds of an authority, and the bonds are to be authorized security for public deposits.

The bill provides that a center, any satellite facility, and any associated property or projects owned by an authority, including any pro rata share of any property that is owned by an authority in conjunction with any other person or public agency and used in connection with a center, and all other property of an authority, is to be public property and devoted to an essential public and governmental function and purpose, and the property, an authority, and its income are to be exempt from taxes and special assessments of the State or any subdivision of the State. The bonds issued by the authority are to be for an essential public and governmental purpose and the interest and the income and all funds, revenues, and other monies pledged or available to pay or secure the payment of the bonds, or interest, shall be exempt from taxation except for transfer, inheritance and estate taxes, and taxes on transfers by or in contemplation of death.

The bill requires the authority to conduct an annual audit of its accounts, and to file a copy of each bond resolution adopted by it with the Director of the Division of Local Government Services in the Department of Community Affairs.

COMMITTEE AMENDMENTS

The committee amendments:

(1) clarify that whether acting alone or in a combination of one or more counties, a county governing body may establish a regional

rehabilitation and reentry center authority by adopting an ordinance or a resolution. Under the bill as introduced, a single county governing body acting to establish an authority was limited to doing so by adopting an ordinance; and

(2) make technical changes.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

Governor Murphy Takes Action on Legislation

01/16/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

SCS for S-281/ACS for A-3791 (Greenstein, Turner/Sumter, Reynolds-Jackson) – w/STATEMENT - Concerns automatic fire sprinkler systems within newly constructed townhouses

[Copy of Statement](#)

S-539wGR/A-2140 (Ruiz, Pou/Reynolds-Jackson, Wimberly, Mosquera) - Permits online purchase of eligible foods using WIC funds and use of WIC funds for grocery delivery charges

S-659/A-2014 (Oroho, Greenstein/Conaway, Wirths, Umba) - “Manufacturing in Higher Education Act”; requires various State entities to promote manufacturing career pathways for students and provides assistance to manufacturing industry

S-1110/A-3936 (Polistina, Singleton/Guardian, Swift, McClellan) - Authorizes CRDA to finance transportation projects between Atlantic City Airport and Atlantic City Tourism District

S-1662/A-3526 (Ruiz, Codey/Lampitt, Benson, Saucikie) - Requires NJ Youth Suicide Prevention Advisory Council to prepare report regarding suicide prevention instruction in public schools

S-1680wGR/A-2257 (Pou, Ruiz/Murphy, Quijano, Wimberly) - Designates each community college in State as provider of allowable services under SNAP employment and training program

S-2076/ACS for A-3319 (Zwicker, Greenstein/McKnight, Lampitt) - Establishes “Twelfth Grade Postsecondary Transition Year Pilot Program” in Department of Education

S-2535wGR/A-4048 (Polistina, Pou/Benson, McKnight, Reynolds-Jackson, Carter) - Requires health benefits coverage of hearing aids and cochlear implants

S-2841/A-4292 (Scutari, Bramnick/Carter) - Raises minimum amount of liability coverage for commercial motor vehicles and autocabs

SCS for S-3080/ACS for-398 (Ruiz, Burgess/Caputo, Giblin, Tucker) - Establishes position of Youth Disconnection Prevention and Recovery Ombudsperson; establishes “School Disconnection Prevention Task Force”; appropriates \$200,000

S-3102/A-4715 (Smith, Singleton/Stanley, Benson) - Establishes uptime requirement for electric vehicle charging station incentive programs

S-3176/A-4760 (Greenstein, Smith/Swain, Haider, Tully) - Requires DEP and Drinking Water Quality Institute to perform study concerning regulation and treatment of perfluoroalkyl and polyfluoroalkyl substances

SCS for S-3632 and 3649w/GR/ACS for A-1948 (Johnson, Cryan/Haider, Conaway, Quijano) - Requires labeling of non-flushable disposable wipes

S-3758/A-5343 (Cryan/Karabinchak) - Changes deadline for unaffiliated mail-in voters to declare their political party before primary election

S-3837/A-5438 (Pou, Cruz-Perez/Pintor Marin, Wimberly) - Clarifies process for administrative appropriations to UEZs

S-3897/A-5578 (Ruiz, Sarlo/Jasey, Carter, Reynolds-Jackson) - Authorizes Higher Education Student Assistance Authority to award annual summer tuition aid grants

S-4040/A-5881 (Polistina, Lagana/Tully, Guardian, Swift) - Concerns jurisdiction and operations of regional municipal courts

S-4084/A-5851 (Ruiz, Cruz-Perez/Moriarty, Calabrese, Moen) - Concerns temporary registration certificates and license plates

S-4130/A-5849 (Codey/Jasey, Tucker) - Special legislation to change name of “Township of South Orange Village” to “South Orange Village”; changes titles of certain municipal officials; permits nonpartisan municipal elections to be moved to November; permits stipend for governing body members

S-4206/A-5856 (Sarlo/Calabrese) - Changes number of signatures required on primary election petition to nominate certain municipal candidates in certain municipalities

S-4209/A-5879 (Sarlo/Pintor Marin) - Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap

S-4268/A-5911 (Scutari/Danielsen) - Permits certain special State officers to represent cannabis businesses

A-203/S-2884 (Rooney, Benson, Caputo/A.M. Bucco) - Authorizes creation of special license plates commemorating horse as State animal

A-1100/S-995 (Calabrese, Mukherji, McKnight/Ruiz, Stack) - Requires entities to remove abandoned lines and mark information on certain lines

A-1107/S-770 (Chaparro, Murphy, Mukherji/Pou, Beach) - Directs Chief Technology Officer to conduct study on impacts of redacting handwritten signatures published on State websites; allows for protocols for such redactions to be established by rules and regulations

ACS for A-1255/SS for S-1794 (Stanley, Conaway, Benson/Gopal, Singer) - Updates requirements and standards for authorization and prior authorization of health care services

A-1727/S-3300 (Speight, Reynolds-Jackson, Verrelli/Stanfield, Ruiz) - Requires Attorney General to perform outreach and provide services to victims of human trafficking under certain circumstances

A-1729/S-3550 (Speight, Reynolds-Jackson, McKnight/Greenstein, Ruiz) - Requires AG to address human trafficking in underserved communities

A-1755/S-2505 (McKeon, Calabrese, Conaway/Smith, Greenstein) - Requires installation of operational automatic rain sensor or smart sprinkler as condition of sale of certain real properties, and on certain commercial, retail, and industrial properties and common interest communities within specified timeframes

A-2146wGR/S-855 (Reynolds-Jackson, Wimberly, Sumter/Singleton, Beach) - Creates State business assistance program to establish contracting agency procurement goals for socially and economically disadvantaged business enterprises

A-2581/S-2503 (Lampitt, Park/Beach) - Provides that certain cosmetology and hairstyling courses may be taught using distance learning technology

A-3142/S-1564 (Moen, Moriarty, Benson/Singleton, Corrado) - Authorizes grants to purchase and rehabilitate abandoned homes for homeless veterans

A-3211/S-2302 (Speight, Haider, Swain/Gopal, Ruiz) - Establishes “New Jersey Feminine Hygiene Products for the Homeless Act”

A-3980/S-2706 (Speight, McKnight, Atkins/Zwicker, Turner) - Grants child placed in resource family care and resource family parents the right to be notified when case manager or supervisor is assigned to child; grants child in resource family care right to be notified of certain property and benefits

A-4033wGR/S-2657 (Coughlin, Wimberly/Sarlo, Ruiz) - Extends deadline for completion of school district’s annual audit

A-4049/S-3495 (McKnight, Reynolds-Jackson, Benson/Vitale, Johnson) - Provides for presumptive eligibility for home and community-based services and services provided through program of all-inclusive care for the elderly under Medicaid

A-4105/S-4202 (Lopez, Jimenez, Quijano/Vitale, Turner) - Establishes Interagency Council on Homelessness

A-4183/S-4264 (Haider/Singleton) - Concerns local unit filing requirement for certain shared services agreements

A-4212/S-2762 (Pintor Marin, Reynolds-Jackson, Verrelli/Ruiz, Cunningham) - Establishes Center for Career Relevant Education and Talent Evaluation of New Jersey at Thomas Edison State University

A-4337/S-4156 (Conaway, Atkins, Rooney/Singleton, Pou) - Requires Department of Health to provide information to Statewide 2-1-1 telephone system regarding the location of safe disposal sites for hypodermic syringes and needles and prescription drugs

ACS for A-4496/SCS for S-3247 (Coughlin, Lampitt, Karabinchak, Wimberly/Zwicker, Greenstein) - Revises various provisions of law governing construction of school facilities projects and operations of New Jersey Schools Development Authority; establishes "Charter School and Renaissance School Project Facilities Loan Program" in EDA

A-4522/S-3234 (Moen, McKnight, Quijano/Singer, Singleton) - Requires certain disclosures by sellers of single-family homes with solar panels installed

A-4691/S-1530 (Swain, DeAngelo, Speight/Greenstein, Zwicker) - Requires hazard mitigation plans to include climate change-related threat assessments and hazard prevention and mitigation strategies

A-4723/S-2740 (McKeon, Moriarty, Rooney/Codey, Scutari) - Requires motor vehicle dealer to offer to delete personal information in motor vehicles in certain situations

A-4791/S-3184 (Kennedy, Haider, McKeon/Diegnan, Sarlo) - Establishes "Resiliency and Environmental System Investment Charge Program"

ACS for A-4794/S-3224 (Benson, Mukherji/Singleton, Turner) - Requires request for proposal to establish demonstration projects to develop electric vehicle charging depots serviced by distributed energy resource charging centers for certain electric vehicle use

A-4814/S-1023 (Moen, Wimberly/Singleton, Gopal) - Removes expected family contribution from calculation of financial need under circumstances in which public institutions of higher education may reduce student's institutional financial aid

ACS for A-4821 and 4823wGR/S-3283 (Karabinchak, Conaway, Schaer/Greenstein, Zwicker) - Directs DEP to take certain actions concerning identification and testing of microplastics in drinking water, and requires DEP and BPU to study and promote use of microplastics removal technologies

A-4955/S-3531 (S. Kean, Thomson/Singer, Gopal) - Designates portion of State Highway Route 71 as "John Tarantino Highway"

A-5094/S-3476 (Spearman/Beach, Greenstein) - Concerns licensing of security officer companies

A-5227/S-3662 (Danielsen, Space/Smith, Oroho) - Expands eligibility for "fishing buddy license" fee

A-5285/SCS for S-3708 (Greenwald, Haider, Lopez/Greenstein, A.M. Bucco) - Requires copies of certain law enforcement records to be provided to victims of domestic violence upon request

A-5293/S-3746 (Greenwald, McKnight, Rooney/Gopal, Ruiz) - Concerns New Jersey Civic Information Consortium

A-5311/S-3061 (Verrelli, McKnight, Matsikoudis/Stanfield, Turner) - Enters New Jersey into Counseling Compact

A-5391/S-3765 (DeAngelo/Diegnan, Corrado) - Imposes conditions on drivers approaching disabled vehicles

A-5412/S-3850 (Greenwald, Swain, Jasey/Gopal, Singer) - Establishes nonpublic school transportation program to provide funding to consortiums of nonpublic schools that will assume responsibility for mandated nonpublic school busing

A-5416wGR/S-3883 (Wimberly, Giblin, Haider/Greenstein, Turner) - Requires State Board of Education to authorize alternate route to expedite teacher certification of persons employed as paraprofessionals in school districts

A-5442/S-3793 (Karabinchak, Conaway, McKeon/Smith, Greenstein) - Directs BPU to conduct study to determine feasibility, marketability, and costs of implementing large-scale geothermal heat pump systems in State

A-5462/S-3867 (Coughlin, McKnight, Speight/Vitale, Turner) - Revises law establishing Office of Food Security Advocate, and establishes certain conditions for use of monies appropriated to emergency food organizations

ACS for A-5495/SCS for S-3846 (Danielsen/Scutari, A.M. Bucco) - Clarifies types of firearms allowed to be carried or transported while hunting

A-5516/S-4047 (Reynolds-Jackson, Verrelli, Conaway/Burgess, Turner) - Requires certain health care professionals to undergo bias training

A-5565/S-3971 (S. Kean, Thomson/Gopal) - Provides that 10-year term does not apply to lease of certain municipal properties unless they are waterfront properties or related to waterfront concessions

A-5567/S-3807 (Torrissi, Calabrese/A.M. Bucco, Sarlo) - Extends period of usefulness of fire engines for bonding purposes from 10 to 20 years; eliminates exclusion of passenger cars and station wagons

A-5582/S-3781 (Swain, Simonsen/Lagana, Cryan) - Establishes grant program for NJ YouthBuild programs through DOLWD; makes appropriation

A-5610wGR/S-3954 (Greenwald, Spearman, Chaparro/Beach, A.M. Bucco) - Revises penalties for possession or consumption of alcoholic beverages by underage persons

A-5748/S-4166 (Spearman, Moen, Moriarty/Cruz-Perez, Madden) - Amends definition of "participating county" under County Option Hospital Fee Program

A-5755/S-4183 (Carter, Sumter, Wimberly, Quijano/Scutari, Singleton) - Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition

A-5799/S-1472 (Moen, Moriarty/Beach, Stack) - Authorizes DOT to establish and administer toll collection and enforcement system on behalf of NJ toll authorities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states

A-5806/S-4165 (Moriarty, Sauickie/Greenstein, Oroho) - Appropriates \$48 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-5807/S-4138 (Freiman/Johnson, Schepisi) - Appropriates \$58 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-5808/S-4135 (Park, Freiman, Lopez/Beach, Turner) - Appropriates \$15,564,293 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

A-5809/S-4097 (Swain, Lopez, Sauickie/Zwicker, Gopal) - Amends lists of projects eligible to receive loans for environmental infrastructure projects from NJ Infrastructure Bank for FY 2024

A-5810/S-4098 (Sampson, Sauickie, Lopez/Greenstein, Stanfield) - Amends lists of environmental infrastructure projects approved for long-term funding by DEP under FY 2024 environmental infrastructure funding program

A-5828/S-4201 (Lopez/Vitale) - Authorizes State Treasurer to sell as surplus certain real property and improvements in Township of Woodbridge in Middlesex County

A-5835/S-4134 (Greenwald, Lampitt/Beach, Turner) - Authorizes regional authority to develop and operate regional rehabilitation and reentry center

A-5836/S-4212 (DeAngelo, Sumter, Wimberly/Gopal, Greenstein) - Makes supplemental appropriation of \$650,000 to New Jersey Division of State Police for trooper recruitment and retention

A-5910/S-4266 (Egan/Codey) - Increases annual salary of certain public employees and officers

AJR-200/SJR-138 (Park, Freiman, Calabrese/Lagana) - Designates November 22 of each year as Kimchi Day

Governor Murphy pocket vetoed the following bills:

S-2989/A-1739 (Pou, Singer/McKeon, Quijano, Flynn) - Makes certain for-profit debt adjusters eligible for licensing to conduct business in State

S-3172/A-4689 (Gopal, Turner/Lampitt, Matsikoudis, McKnight) - Establishes teacher certification route for candidates with Montessori teaching credentials

- S-3287/ACS for A-4852 and 1170 (Turner/Reynolds-Jackson, Jasey, Dunn, Wimberly, Calabrese, Spearman, Verrilli)** - Requires institutions of higher education to maintain supply and develop policy governing use of naloxone hydrochloride nasal spray for opioid overdose emergencies
- A-1476/S-930 (Benson, Dancer/Holzapfel, Diegnan)** - Exempts certain motor vehicles that are owned by certain nutrition programs and certain nonprofit organizations that offer social services from motor vehicle registration fees
- A-3642/S-665 (Wirths, Murphy, Benson, Oroho/Greenstein)** - Requires MVC to place designation on motor vehicle's registration information indicating registrant is deaf
- A-3945/S-1660 (Quijano, Reynolds-Jackson, Carter/Ruiz, Singleton)** - Establishes "Male Teachers of Color Mentorship Pilot Program"; appropriates \$95,000
- A-4177/S-2478 (Mosquera, Swain, McKnight, Tucker, Dunn/Ruiz, Vitale)** - Extends duration of law requiring certain provider subsidy payments for child care services be based on enrollment
- A-4396/S-2927 (Lampitt, Jasey, Caputo/Codey)** - Establishes timelines for review and approval by Commissioner of Education of annual certified audits submitted by approved private schools for students with disabilities
- A-4621/S-3156 (Mosquera, Greenwald, Swain/Madden)** - Requires issuance of report on certain information and data on processing of applications for professional and occupational licenses and mandates review of training and call intake in Division of Consumer Affairs.
- A-4740/S-2970 (Mukherji, DeAngelo, McKnight/Cruz-Perez, Turner)** - Provides employee access to employee's employment records on file with DOLWD
- A-5294/S-1825 (Greenwald, Swain, Rooney/Steinhardt, Sarlo, Doherty)** - Exempts sales of investment metal bullion and investment coins from sales and use tax
- A-5893/S-4228 (Karabinchak, Calabrese, Sauckie/Gopal, Sarlo)** - Extends annual horse racing purse subsidies through State fiscal year 2029