

**40A:65-3.1 et al**  
**LEGISLATIVE HISTORY CHECKLIST**  
Compiled by the NJ State Law Library

**LAWS OF:** 2019                      **CHAPTER:** 433

**NJSA:** 40A:65-3.1 et al (Renames joint meetings as regional service agencies; grandfathers existing joint meetings.)

**BILL NO:** S3763                      (Substituted for A6116)

**SPONSOR(S)** Dawn Marie Addiego and others

**DATE INTRODUCED:** 5/16/2019

**COMMITTEE:**                      **ASSEMBLY:** Appropriations

**SENATE:** State Government, Wagering, Tourism & Historic Preservation

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                      **ASSEMBLY:** 1/13/2020

**SENATE:** 12/16/2019

**DATE OF APPROVAL:** 1/21/2020

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Introduced bill enacted)                      Yes

**S3763**

**SPONSOR'S STATEMENT:** (Begins on page 16 of introduced bill)                      Yes

**COMMITTEE STATEMENT:**    **ASSEMBLY:**                      Yes

**SENATE:**    Yes

(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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**    No

**LEGISLATIVE FISCAL ESTIMATE:**    No

**A6116**

**SPONSOR'S STATEMENT:** (Begins on page 16 of introduced bill)                      Yes

**COMMITTEE STATEMENT:**    **ASSEMBLY:**                      Yes

**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](http://www.njleg.state.nj.us))

<b>FLOOR AMENDMENT STATEMENT:</b>	No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	No
<b>VETO MESSAGE:</b>	No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>	Yes
<b>FOLLOWING WERE PRINTED:</b>	
To check for circulating copies, contact New Jersey State Government Publications at the State Library <a href="tel:6092782640">609 278-2640 ext.103</a> or <a href="mailto:refdesk@njstatelib.org">mailto:refdesk@njstatelib.org</a>	
<b>REPORTS:</b>	No
<b>HEARINGS:</b>	No
<b>NEWSPAPER ARTICLES:</b>	No

Rwh/cl

P.L. 2019, CHAPTER 433, *approved January 21, 2020*  
Senate, No. 3763

1 AN ACT concerning joint meetings and regional service agencies,  
2 amending P.L.1960, c.3, and supplementing and amending  
3 P.L.2007, c.63.

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

7  
8 1. (New section) Whenever the term "joint meeting" as defined  
9 in section 3 of P.L.2007, c.63 (C.40A:65-3), and which powers and  
10 authority are set forth in section 7 of P.L.1960, c.3 (C.40:48B-2.1)  
11 and section 15 of P.L.2007, c.63 (40A:65-15) occurs or any  
12 reference is made thereto in any law, contract, or other document,  
13 the same shall be deemed to mean or refer to a "regional service  
14 agency" as also defined in section 3 of P.L.2007, c.63 (C.40A:65-  
15 3), established by joint contract on or after the date of enactment of  
16 P.L. , c. (C. ) (pending before the Legislature as this bill).

17  
18 2. Section 7 of P.L.1960, c.3 (C.40:48B-2.1) is amended to  
19 read as follows:

20 7. a. **【The】** A joint meeting or regional service agency, both  
21 as defined in section 3 of P.L.2007, c.63 (C.40A:65-3), shall be a  
22 public body corporate and politic constituting a political subdivision  
23 of the State exercising public and essential governmental functions  
24 to provide for the public health and welfare, and qualifies as a  
25 "local unit," as defined in section 3 of the "Local Fiscal Affairs  
26 Law," N.J.S.40A:5-3. The joint meeting or regional service agency  
27 shall have the following powers and authority, which may be  
28 exercised by the management committee to the extent provided in  
29 the joint contract:

30 (1) To sue and be sued;

31 (2) To acquire and hold real and personal property by deed, gift,  
32 grant, lease, purchase, condemnation or otherwise;

33 (3) To enter into any and all contracts or agreements and to  
34 execute any and all instruments;

35 (4) To do and perform any and all acts or things necessary,  
36 convenient or desirable for the purposes of the joint meeting or  
37 regional service agency or to carry out any powers expressly **【given**  
38 **in this act】** provided in section 7 of P.L.1960, c.3 (C.40:48B-2.1);

39 (5) To sell real and personal property owned by the joint  
40 meeting or regional service agency at public sale;

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 (6) To operate all services, lands, public improvements, works,  
2 facilities or undertakings for the purposes and objects of the joint  
3 meeting or regional service agency;

4 (7) To enter into a contract or contracts providing for or relating  
5 to the use of its services, lands, public improvements, works,  
6 facilities or undertakings, or any part thereof, by local units who are  
7 not members of the joint meeting or regional service agency, and  
8 other persons, upon payment of charges therefor as fixed by the  
9 management committee;

10 (8) To receive such State or **【Federal】** federal aids or grants as  
11 may be available for the purposes of the joint meeting or regional  
12 service agency and to make and perform such agreements and  
13 contracts as may be necessary or convenient in connection with the  
14 application for, procurement, acceptance or disposition of such  
15 State or **【Federal】** federal aids or grants; and

16 (9) To acquire, maintain, use and operate lands, public  
17 improvements, works or facilities in any municipality in the State,  
18 except where the governing body of such municipality, by  
19 resolution adopted within 60 days after receipt of written notice of  
20 intention to so acquire, maintain, use or operate, shall find that the  
21 same would adversely affect the governmental operations and  
22 functions and the exercise of the police powers of such  
23 municipality.

24 b. If the governing body of a municipality in which a joint  
25 meeting or regional service agency has applied for the location and  
26 erection of sewage treatment or solid waste disposal facilities  
27 refuses permission therefor or fails to take final action upon the  
28 application within 60 days of its filing, the joint meeting or regional  
29 service agency may, at any time within 30 days following the date  
30 of such refusal or the date of expiration of said period of 60 days,  
31 apply to the Department of Environmental Protection, which is  
32 authorized, after hearing the joint meeting or regional service  
33 agency and the municipality interested, to grant the application for  
34 the erection of the sewage treatment or disposal or solid waste  
35 treatment or disposal facilities, notwithstanding the aforesaid  
36 refusal or failure to act of the governing body, upon being satisfied  
37 that the topographical and other physical conditions existing in the  
38 local units comprising the joint meeting or regional service agency  
39 are such as to make the erection of such facilities within its  
40 boundaries impracticable as an improvement for the benefit of the  
41 whole applying joint meeting or regional service agency.

42 (cf: P.L.1973, c.208, s.13)

43

44 3. Section 3 of P.L.2007, c.63 (C.40A:65-3) is amended to read  
45 as follows:

46 3. As used in sections 1 through 35 of P.L.2007, c.63  
47 (C.40A:65-1 through C.40A:65-35):

1 "Board" means the Local Finance Board in the Division of Local  
2 Government Services in the Department of Community Affairs.

3 "Construct" and "construction" connote and include acts of  
4 construction, reconstruction, replacement, extension, improvement  
5 and betterment of lands, public improvements, works, facilities,  
6 services or undertakings.

7 "Contracting local units" means local units participating in a  
8 joint meeting or regional service agency.

9 "Director" means the Director of the Division of Local  
10 Government Services in the Department of Community Affairs.

11 "Division" means the Division of Local Government Services in  
12 the Department of Community Affairs.

13 "Governing body" means the board, commission, council, or  
14 other body having the control of the finances of a local unit; and in  
15 those local units in which an executive officer is authorized by law  
16 to participate in such control through powers of recommendation,  
17 approval, or veto, the term includes that executive officer, to the  
18 extent of the officer's statutory participation.

19 "Joint contract" means: (1) an agreement between two or more  
20 local units to form a joint meeting , entered into before the date of  
21 enactment of P.L. , c. (C. ) (pending before the Legislature  
22 as this bill); or (2) an agreement between two or more local units to  
23 form a regional service agency, entered into on or after the date of  
24 enactment of P.L. , c. (C. ) (pending before the Legislature  
25 as this bill).

26 "Joint meeting" means the joint operation of any public services,  
27 public improvements, works, facilities, or other undertaking by  
28 contracting local units pursuant to a joint contract under section 14  
29 of P.L.2007, c.63 (C.40A:65-14) , entered into before the date of  
30 enactment of P.L. , c. (C. ) (pending before the Legislature  
31 as this bill.

32 "Local unit" means a "contracting unit" pursuant to section 2 of  
33 P.L.1971, c.198 (C.40A:11-2), a "district" pursuant to  
34 N.J.S.18A:18A-2, a "county college" pursuant to N.J.S.18A:64A-1,  
35 a joint meeting or regional service agency, as defined in this  
36 section, or any authority or special district that is subject to the  
37 "Local Authorities Fiscal Control Law," P.L.1983, c.313  
38 (C.40A:5A-1 et seq.).

39 "Operate" and "operation" mean and include acquisition,  
40 construction, maintenance, management, and administration of any  
41 lands, public improvements, works, facilities, services, or  
42 undertakings.

43 "Person" means any person, association, corporation, nation,  
44 State, or any agency or subdivision thereof, or a county or  
45 municipality of the State.

46 "Regional service agency" means the joint operation of any  
47 public services, public improvements, works, facilities, or other  
48 undertaking by contracting local units pursuant to a joint contract

1 under section 14 of P.L.2007, c.63 (C.40A:65-14), entered into on  
2 or after the date of enactment of P.L. , c. (C. ) (pending  
3 before the Legislature as this bill.

4 "Service" means any of the powers, duties and functions  
5 exercised or performed by a local unit by or pursuant to law.

6 "Shared service" or "shared" means any service provided on a  
7 regional, joint, interlocal, shared, or similar basis between local  
8 units, the provisions of which are memorialized by agreement  
9 between the participating local units, but, for the purposes of this  
10 act, does not include any specific service or activity regulated by  
11 some other law, rule or regulation.

12 "Shared service agreement" or "agreement" means a contract  
13 authorized under section 4 of P.L.2007, c.63 (C.40A:65-4).

14 "Terminal leave benefit" means a single, lump sum payment,  
15 paid at termination, calculated using the regular base salary at the  
16 time of termination.

17 (cf: P.L.2007, c.63, s.3)

18

19 4. Section 10 of P.L.2007, c.63 (C.40A:65-10) is amended to  
20 read as follows:

21 10. In the event that any authority, board, commission, district,  
22 joint meeting, regional service agency, or other body created by one  
23 or more local units proposes to enter into a contract under sections 1  
24 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.), whereby that entity  
25 agrees to have performed on its behalf services, the cost of which  
26 shall equal one-half or more of the total costs of the services being  
27 performed by that entity immediately prior to the adoption of the  
28 proposed contract, then the contract shall require approval by  
29 resolution of the governing body of each local unit which created  
30 the entity or which has become a participant therein subsequent to  
31 its creation.

32 (cf: P.L.2007, c.63, s.10)

33

34 5. Section 11 of P.L.2007, c.63 (C.40A:65-11) is amended to  
35 read as follows:

36 11. a. When a local unit contracts, through a shared service  
37 **【or】** , joint meeting, or regional service agency to have another  
38 local unit **【or a】** , joint meeting , or regional service agency provide  
39 a service it is currently providing using public employees and one  
40 or more of the local units have adopted Title 11A, Civil Service,  
41 then the agreement shall include an employment reconciliation plan  
42 in accordance with this section that **【and, if one or more of the local**  
43 **units have adopted Title 11A, Civil Service,】** shall specifically set  
44 forth the intended jurisdiction of the Civil Service Commission. An  
45 employment reconciliation plan shall be subject to the following  
46 provisions:

47 (1) a determination of those employees, if any, that shall be  
48 transferred to the providing local unit, retained by the recipient

1 local unit, or terminated from employment for reasons of economy  
2 or efficiency, subject to the provisions of any existing collective  
3 bargaining agreements within the local units.

4 (2) any employee terminated for reasons of economy or  
5 efficiency by the local unit providing the service under the shared  
6 service agreement shall be given a terminal leave payment of not  
7 less than a period of one month for each five-year period of past  
8 service as an employee with the local unit, or other enhanced  
9 benefits that may be provided or negotiated. For the purposes of  
10 this paragraph, "terminal leave payment" means a single, lump sum  
11 payment, paid at termination, calculated using the regular base  
12 salary at the time of termination. Unless otherwise negotiated or  
13 provided by the employer, a terminal leave benefit shall not include  
14 extended payment, or payment for retroactive salary increases,  
15 bonuses, overtime, longevity, sick leave, accrued vacation or other  
16 time benefit, or any other benefit.

17 (3) the Civil Service Commission shall place any employee that  
18 has permanent status pursuant to Title 11A, Civil Service, of the  
19 New Jersey Statutes that is terminated for reasons of economy or  
20 efficiency at any time by either local unit on a special  
21 reemployment list for any civil service employer within the county  
22 of the agreement or any political subdivision therein.

23 (4) when a proposed shared service agreement affects  
24 employees in local units subject to Title 11A, Civil Service, of the  
25 New Jersey Statutes, an employment reconciliation plan shall be  
26 filed with the Civil Service Commission prior to the approval of the  
27 shared service agreement. The commission shall review it for  
28 consistency with this section within 45 days of receipt and it shall  
29 be deemed approved, subject to approval of the shared service  
30 agreement by the end of that time, unless the commission has  
31 responded with a denial or conditions that must be met in order for  
32 it to be approved.

33 (5) when an action is required of the Civil Service Commission  
34 by this section, parties to a planned shared service agreement may  
35 consult with that commission in advance of the action and the  
36 commission shall provide such technical support as may be  
37 necessary to assist in the preparation of an employment  
38 reconciliation plan or any other action required of the commission  
39 by this section.

40 b. If all the local units that are parties to the agreement are  
41 subject to the provisions of Title 11A, Civil Service, of the New  
42 Jersey Statutes, the Civil Service Commission shall create an  
43 implementation plan for the agreement that will: (1) transfer  
44 employees with current status in current title unless reclassified, or  
45 (2) reclassify employees into job titles that best reflect the work to  
46 be performed. The Civil Service Commission shall review whether  
47 any existing hiring or promotional lists should be merged,  
48 inactivated, or re-announced. Non-transferred employees shall be

1 removed or suspended only for good cause and after the opportunity  
2 for a hearing before the Civil Service Commission; provided,  
3 however, that they may be laid-off in accordance with the  
4 provisions of N.J.S.11A:8-1 et seq., and the regulations  
5 promulgated thereunder. The final decision of which employees  
6 shall transfer to the new employer is vested solely with the local  
7 unit that will provide the service and subject to the provisions of  
8 any existing collective bargaining agreements within the local units.

9 c. If the local unit that will provide the service pursuant to a  
10 shared service agreement is subject to Title 11A, Civil Service, of  
11 the New Jersey Statutes, but the local unit to receive the service is  
12 not subject to that Title, and the contracting local units desire that  
13 some or all employees of the recipient local unit are to be  
14 transferred to the providing local unit, the Civil Service  
15 Commission shall vest only those employees who have been  
16 employed for one year or more in permanent status pursuant to  
17 N.J.S.11A:9-9 in appropriate titles, seniority, and tenure with the  
18 providing local unit based on the duties of the position. The final  
19 decision of which employees shall transfer to the new employer is  
20 vested solely with the local unit that will provide the service and  
21 subject to the provisions of any existing collective bargaining  
22 agreements within the local units.

23 d. If the local unit that will provide the service is not subject to  
24 the provisions of Title 11A, Civil Service, of the New Jersey  
25 Statutes, but the local unit that will receive the service is subject to  
26 that Title and the parties desire that some or all employees of the  
27 recipient local unit are to be transferred to the providing local unit,  
28 the transferred employees shall be granted tenure in office and shall  
29 only be removed or suspended for good cause and after a hearing;  
30 provided, however, that they may be laid-off in accordance with the  
31 provisions of N.J.S.11A:8-1 et seq., and the regulations  
32 promulgated thereunder. The transferred employees shall be  
33 subject to layoff procedures prior to the transfer to the new entity.  
34 Once transferred, they will be subject to any employment contracts  
35 and provisions that exist for the new entity. The final decision of  
36 which employees shall transfer to the new employer is vested solely  
37 with the local unit that will provide the service and subject to the  
38 provisions of any existing collective bargaining agreements within  
39 the local units.

40 (cf: P.L.2008, c.29, s.101)

41

42 6. Section 14 of P.L.2007, c.63 (40A:65-14) is amended to read  
43 as follows:

44 14. a. The governing bodies of any two or more local units  
45 may enter into a joint contract, for a period not to exceed 40 years,  
46 to provide for the formation of a joint meeting or regional service  
47 agency for the joint operation of any public services, public  
48 improvements, works, facilities, or undertakings which the local



1 units are empowered to operate. The contract shall be entered into  
2 in accordance with the procedures set forth in subsection b. of  
3 section 16 of **[this act] P.L.2007, c.63** (C.40A:65-16).

4 b. A joint contract may provide for joint services for any  
5 services which any contracting local unit, on whose behalf those  
6 services are to be performed, is legally authorized to provide for  
7 itself. Those services include, but are not limited to, general  
8 government administration, health, police and fire protection, code  
9 enforcement, assessment and collection of taxes, financial  
10 administration, environmental protection, joint municipal courts,  
11 and youth, senior citizens and social welfare programs.

12 c. The joint contract shall set forth the public services, public  
13 improvements, works, facilities, or undertakings which the  
14 contracting local units desire to operate jointly, and shall provide in  
15 general terms the manner in which the public services, public  
16 improvements, works, facilities or undertakings shall be jointly  
17 operated, and the respective duties and responsibilities of the  
18 contracting local units.

19 d. No joint contract pursuant to this section shall authorize the  
20 operation of any property or service defined as a "public utility" by  
21 R.S.48:2-13, except as may otherwise be provided by law.  
22 (cf: P.L.2007, c.63, s.14)

23

24 7. Section 15 of P.L.2007, c.63 (C.40A:65-15) is amended to  
25 read as follows:

26 15. a. A joint meeting or regional service agency is a public  
27 body corporate and politic constituting a political subdivision of the  
28 State for the exercise of public and essential governmental  
29 functions to provide for the public health and welfare, and qualifies  
30 as a "local unit," as defined in section 3 of the "Local Fiscal Affairs  
31 Law," N.J.S.40A:5-3.

32 b. A joint meeting or regional service agency has the following  
33 powers and authority, which may be exercised by its management  
34 committee to the extent provided for in the joint contract:

35 (1) to sue and be sued;

36 (2) to acquire and hold real and personal property by deed, gift,  
37 grant, lease, purchase, condemnation or otherwise;

38 (3) to enter into any and all contracts or agreements and to  
39 execute any and all instruments;

40 (4) to do and perform any and all acts or things necessary,  
41 convenient or desirable for the purposes of the joint meeting or  
42 regional service agency or to carry out any powers expressly given  
43 in sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through  
44 C.40A:65-35);

45 (5) to sell real and personal property owned by the joint meeting  
46 or regional service agency at public sale;

1 (6) to operate all services, lands, public improvements, works,  
2 facilities or undertakings for the purposes and objects of the joint  
3 meeting or regional service agency;

4 (7) to enter into a contract or contracts providing for or relating  
5 to the use of its services, lands, public improvements, works,  
6 facilities or undertakings, or any part thereof, by local units who are  
7 not members of the joint meeting or regional service agency, and  
8 other persons, upon payment of charges therefor as fixed by the  
9 management committee;

10 (8) to receive whatever State or federal aid or grants that may be  
11 available for the purposes of the joint meeting or regional service  
12 agency and to make and perform any agreements and contracts that  
13 are necessary or convenient in connection with the application for,  
14 procurement, acceptance, or disposition of such State or federal aid  
15 or grants; and

16 (9) to acquire, maintain, use, and operate lands, public  
17 improvements, works, or facilities in any municipality in the State,  
18 except where the governing body of the municipality, by resolution  
19 adopted within 60 days after receipt of written notice of intention to  
20 so acquire, maintain, use, or operate, shall find that the same would  
21 adversely affect the governmental operations and functions and the  
22 exercise of the police powers of that municipality.

23 c. If the governing body of a municipality in which a joint  
24 meeting or regional service agency has applied for the location and  
25 erection of sewage treatment or solid waste disposal facilities  
26 refuses permission therefor, or fails to take final action upon the  
27 application within 60 days of its filing, the joint meeting or regional  
28 service agency may, at any time within 30 days following the date  
29 of such refusal or the date of expiration of the 60-day period, apply  
30 to the Department of Environmental Protection for relief. That  
31 department is authorized, after hearing the joint meeting or regional  
32 service agency and the interested municipality, to grant the  
33 application for the erection of the sewage treatment or disposal or  
34 solid waste treatment or disposal facilities, notwithstanding the  
35 refusal or failure to act of the municipal governing body, upon  
36 being satisfied that the topographical and other physical conditions  
37 existing in the local units comprising the joint meeting or regional  
38 service agency are such as to make the erection of such facilities  
39 within its boundaries impracticable as an improvement for the  
40 benefit of the whole applying joint meeting or regional service  
41 agency.

42 (cf: P.L.2007, c.63, s.15.)

43

44 8. Section 16 of P.L.2007, c.63 (40A:65-16) is amended to read  
45 as follows:

46 16. a. The joint contract shall provide for the operation of the  
47 public services, public improvements, works, facilities, or  
48 undertakings of the joint meeting or regional service agency, for the

1 apportionment of the costs and expenses of operation required  
2 therefor among the contracting local units, for the addition of other  
3 local units as members of the joint meeting or regional service  
4 agency, for the terms and conditions of continued participation and  
5 discontinuance of participation in the joint meeting or regional  
6 service agency by the contracting local units, and for such other  
7 terms and conditions as may be necessary or convenient for the  
8 purposes of the joint meeting or regional service agency. The  
9 apportionment of costs and expenses may be based upon assessed  
10 valuations, population, and such other factor or factors, or any  
11 combination thereof, as may be provided in the joint contract.

12 b. (1) Notwithstanding any law to the contrary concerning  
13 approval of contracts, the joint contract shall be subject to approval  
14 by resolution of the governing bodies of each of the local units prior  
15 to its execution by the official or officials who are authorized to  
16 execute a joint contract.

17 (2) The joint contract shall specify the name by which the joint  
18 meeting or regional service agency shall be known.

19 (3) The joint contract may be amended from time to time by  
20 agreement of the parties thereto, in the same manner as the original  
21 contract was authorized and approved.

22 (4) A copy of every resolution creating a joint meeting or  
23 regional service agency, and every amendment thereto, shall be  
24 forthwith filed with the director.

25 (cf: P.L.2007, c.63, s.16)

26

27 9. Section 18 of P.L.2007, c.63 (C.40A:65-18) is amended to  
28 read as follows:

29 18. a. When a joint meeting or regional service agency merges  
30 bargaining units that have current contracts negotiated in  
31 accordance with the provisions of the "New Jersey Employer-  
32 Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.), the  
33 terms and conditions of the existing contracts shall apply to the  
34 rights of the members of the respective bargaining units until a new  
35 contract is negotiated, reduced to writing, and signed by the parties  
36 as provided pursuant to law and regulation promulgated thereunder.

37 b. The Public Employment Relations Commission is  
38 specifically authorized to provide technical advice, pursuant to  
39 section 12 of P.L.1968, c.303 (C.34:13A-8.3), and mediation  
40 services to integrate separate labor agreements into single  
41 agreements for the joint contract. The commission may order  
42 binding arbitration, pursuant to P.L.1995, c.425 (C.34:13A-14a et  
43 al.), to integrate any labor agreement.

44 (cf: P.L.2007, c.63, s.18)

45

46 10. Section 19 of P.L.2007, c.63 (C.40A:65-19) is amended to  
47 read as follows:

1       19. a. When a local unit agrees to participate in a joint meeting  
2 or regional service agency that will provide a service that the local  
3 unit is currently providing itself through public employees, the  
4 agreement shall include an employment reconciliation plan in  
5 accordance with this section. An employment reconciliation plan  
6 shall be subject to the following provisions:

7       (1) a determination of those employees, if any, that shall be  
8 transferred to the joint meeting or regional service agency, retained  
9 by the contracting local unit, or terminated from employment for  
10 reasons of economy or efficiency subject to the provisions of any  
11 collective bargaining agreements within the local units.

12       (2) any employee terminated for reasons of economy or  
13 efficiency by the contracting local unit providing the service or by  
14 the joint meeting or regional service agency shall be given a  
15 terminal leave payment of not less than a period of one month for  
16 each five-year period of past service as an employee with the local  
17 unit, or other enhanced benefits that may be provided or negotiated.  
18 Unless otherwise negotiated or provided by the employer, a  
19 terminal leave benefit shall not include extended payment, or  
20 payment for retroactive salary increases, bonuses, overtime,  
21 longevity, sick leave, accrued vacation or other time benefit, or any  
22 other benefit.

23       (3) the Civil Service Commission shall place any employee that  
24 has permanent status pursuant to Title 11A, Civil Service, of the  
25 New Jersey Statutes that is terminated for reasons of economy or  
26 efficiency at any time by either local unit on a special  
27 reemployment list for any civil service employer within the county  
28 of the agreement or any political subdivision therein.

29       (4) when a proposed joint contract affects employees in local  
30 units that operate under the provisions of Title 11A, Civil Service,  
31 of the New Jersey Statutes, an employment reconciliation plan shall  
32 be filed with the Civil Service Commission prior to the approval of  
33 the joint meeting or regional service agency agreement. That  
34 commission shall review the plan for consistency with this section  
35 within 45 days of receipt and it shall be deemed approved, subject  
36 to approval of the joint meeting or regional service agency  
37 agreement by the end of that time, unless that commission has  
38 responded with a denial or conditions that must be met in order for  
39 it to be approved.

40       (5) when an action is required of the Civil Service Commission  
41 by this section, parties to a proposed joint contract may consult with  
42 the commission in advance of the action and the commission shall  
43 provide such technical support as may be necessary to assist in the  
44 preparation of an employment reconciliation plan or any other  
45 action required of the commission by this section.

46       b. If both the local unit and joint meeting or regional service  
47 agency operate under the provisions of Title 11A, Civil Service, of  
48 the New Jersey Statutes, the Civil Service Commission shall create

1 an implementation plan for employees to be hired by the joint  
2 meeting or regional service agency that will: (1) transfer employees  
3 with current status in current title unless reclassified or (2)  
4 reclassify employees, if necessary, into job titles that best reflect the  
5 work to be performed. The Civil Service Commission shall review  
6 whether any existing hiring or promotional lists should be merged,  
7 inactivated, or re-announced. Non-transferred employees shall be  
8 removed or suspended only for good cause and after the opportunity  
9 for a hearing before the Civil Service Commission; provided,  
10 however, that they may be laid-off in accordance with the  
11 provisions of N.J.S.11A:8-1 et seq., and the regulations  
12 promulgated thereunder. The final decision of which employees  
13 shall transfer to the new employer is vested solely with the local  
14 unit that will provide the service and subject to the provisions of  
15 any existing collective bargaining agreements within the local units.

16 c. If the joint meeting or regional service agency operates  
17 under the provisions of Title 11A, Civil Service, of the New Jersey  
18 Statutes, and a local unit receiving the service is not subject to that  
19 Title, and the parties desire that some or all employees of the local  
20 unit be transferred to the joint meeting or regional service agency,  
21 the Civil Service Commission shall vest only those employees who  
22 have been employed one year or more in permanent status pursuant  
23 to N.J.S.40A:9-9 in appropriate titles, seniority, and tenure with the  
24 providing local unit based on the duties of the position. The final  
25 decision of which employees shall transfer to the new employer is  
26 vested solely with the joint meeting or regional service agency and  
27 subject to the agreements affecting the parties, provided that those  
28 agreements do not conflict with the provisions of any existing  
29 collective bargaining agreements within the local units.

30 d. (1) If the joint meeting or regional service agency does not  
31 operate under the provisions of Title 11A, Civil Service, of the New  
32 Jersey Statutes, and the local unit receiving the service is subject to  
33 that Title, and the parties desire that some or all employees of the  
34 recipient local unit are to be transferred to the joint meeting or  
35 regional service agency, then the transferred employees shall be  
36 granted tenure in office and shall be removed or suspended only for  
37 good cause and after a hearing. The transferred employees shall be  
38 subject to layoff procedures prior to the transfer to the new entity.  
39 Once transferred, they will be subject to any employment contracts  
40 and provisions that exist for the new entity. The final decision of  
41 which employees shall transfer to the joint meeting or regional  
42 service agency is vested solely with the joint meeting or regional  
43 service agency and subject to the provisions of any existing  
44 collective bargaining agreements within the local units.

45 (2) A joint meeting or regional service agency established after  
46 the effective date of sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1  
47 et al.) that affects both employees in local units subject to Title  
48 11A, Civil Service, of the New Jersey Statutes and employees in

1 local units not subject to that Title, shall determine whether the  
2 employees of the joint meeting or regional service agency shall be  
3 subject to the Title. If the joint meeting or regional service agency  
4 determines that the employees shall not be subject to Title 11A,  
5 Civil Service, of the New Jersey Statutes, then the employees from  
6 the local units in which the Title is in effect shall have the same  
7 rights as employees transferred pursuant to paragraph (1) of this  
8 subsection.

9 (cf: P.L.2008, c.29, s.102)

10

11 11. Section 20 of P.L.2007, c.63 (C.40A:65-20) is amended to  
12 read as follows:

13 20. a. The joint contract shall provide for the constitution and  
14 appointment of a management committee to consist of at least three  
15 members, of which one shall be appointed by the governing body of  
16 each of the local units executing the joint contract. The members  
17 shall be residents of the appointing local unit, except that a member  
18 who is the chief financial officer, business administrator, municipal  
19 administrator, or municipal manager of the local unit making the  
20 appointment need not be a resident of the appointing local unit.  
21 The appointees may or may not be members of the appointing  
22 governing body. Each member of the management committee shall  
23 hold office for the term of one year and until the member's  
24 successor has been appointed and qualified. In the event that there  
25 is an even number of local units that are parties to the joint contract,  
26 the management committee shall consist of one member appointed  
27 by each of the governing bodies and one member selected by the  
28 two other appointed members.

29 b. The management committee shall elect annually from among  
30 its members a chair to preside over its meetings. The management  
31 committee may appoint such other officers and employees,  
32 including counsel, who need not be members of the management  
33 committee or members of the governing bodies or employees or  
34 residents of the local units, as it may deem necessary. The  
35 employees appointed by the management committee shall hold  
36 office for such term not exceeding four years as may be provided by  
37 the joint contract. The management committee shall adopt rules  
38 and regulations to provide for the conduct of its meetings and the  
39 duties and powers of the chairman and such other officers and  
40 employees as may be appointed. All actions of the management  
41 committee shall be by vote of the majority of the entire membership  
42 of the committee, except for those matters for which the contract  
43 requires a greater number, and shall be binding on all local units  
44 who have executed the joint contract. The management committee  
45 shall exercise all of the powers of the joint meeting or regional  
46 service agency subject to the provisions of the joint contract.

47 The joint contract may provide for the delegation of the  
48 administration of any or all of the services, lands, public

1 improvements, works, facilities or undertakings of the joint meeting  
2 or regional service agency to the governing body of any one of the  
3 several contracting local units, in which event such governing body  
4 shall have and exercise all of the powers and authority of the  
5 management committee with respect to such delegated functions.

6 (cf: P.L.2007, c.63, s.20)

7  
8 12. Section 30 of P.L.2007, c.63 (C.40A:65-30) is amended to  
9 read as follows:

10 30. a. A local unit that plans to study the feasibility of a shared  
11 service agreement, joint **[meeting]** contract, or municipal  
12 consolidation may apply to the director for grants or loans to fund  
13 the study, including consultant costs, and to fund one-time start-up  
14 costs of a shared service agreement or joint **[meeting]** contract or  
15 municipal consolidation. The director, in consultation with the  
16 Commissioner of Education, shall establish a program to be known  
17 as the "Sharing Available Resources Efficiently" program, or  
18 "SHARE," to accomplish this purpose, and, in consultation with the  
19 commissioner, shall promulgate rules and regulations necessary to  
20 effectuate the purposes of the program.

21 b. The director, in consultation with the commissioner, shall  
22 provide guidelines and procedures for the submission of SHARE  
23 grant and loan applications.

24 c. Applications for shared service study funds:

25 (1) May require such local match of funds, as is determined by  
26 the director for the studies if the director finds that the local unit is  
27 financially capable of providing such matching funds.

28 (2) Shall not require a local match of funds for consolidation  
29 studies under sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.)  
30 or the "Municipal Consolidation Act," P.L.1977, c.435 (C.40:43-  
31 66.35 et al.).

32 (3) Grants for implementation of shared services may include  
33 financial assistance for terminal leave benefits, but not for early  
34 retirement incentives related to pension contributions.

35 d. Applications for one-time start-up costs shall provide that:

36 (1) Local units may apply for financial assistance for the one-  
37 time start-up costs necessary to implement shared services. Costs  
38 that may be financed through the issuance of debt or capital lease  
39 agreements shall be excluded from this program.

40 (2) The director may set limits on aid awards and negotiate the  
41 various provisions, costs, payment provisions, and amounts of  
42 grants or loans to ensure that the shared service is cost effective and  
43 in the public interest. Financial assistance for costs associated with  
44 terminal leave benefits shall be limited to the lesser of the officer or  
45 employee's regular base rate of compensation that is paid for the  
46 terminal leave benefit pursuant to an applicable employment  
47 contract, local practice, local ordinance, or State law.

1 e. The director may provide technical support programs to  
2 assist local units in applying for grants or aid for studying shared  
3 services.

4 (cf: P.L.2007, c.63, s.30)

5  
6 13. Section 32 of P.L.2007, c.63 (C.40A:65-32) is amended to  
7 read as follows:

8 32. The governing body of a municipality may adopt, at any  
9 regular meeting, a resolution requesting the clerk of the county to  
10 print upon the official ballots to be used at the next ensuing regular  
11 or general election, as appropriate, a certain proposition to authorize  
12 the creation of a citizen's commission, consisting of members of the  
13 governing body, appropriate municipal officials such as the  
14 municipal purchasing agent, and at least an equal number of  
15 residents of the municipality, and to identify and implement shared  
16 service, joint meeting, regional service agency, or consolidation  
17 opportunities for the municipality. The proposition shall be  
18 formulated and expressed in the resolution in concise form and filed  
19 with the clerk of the county not later than 74 days previous to the  
20 election. If approved by a majority of those voting at the election,  
21 the proposition shall be binding and shall constitute the authority  
22 for the governing body to appoint members to the citizen's  
23 commission and provide resources as it deems necessary.

24 (cf: P.L.2007, c.63, s.32)

25  
26 14. Section 34 of P.L.2007, c.63 (C.40A:65-34) is amended to  
27 read as follows:

28 34. a. Any shared service **【or】** agreement, joint **【meeting**  
29 **agreement】** contract, or municipal consolidation shall be deemed in  
30 furtherance of the public good and presumed valid, subject to a  
31 rebuttable presumption of good faith on the part of the governing  
32 bodies entering into the agreement.

33 b. With regard to any responsibilities assigned to the Public  
34 Employment Relations Commission pursuant to sections 1 to 37 of  
35 P.L.2007, c.63 (C.40A:65-1 et al.):

36 (1) The commission may promulgate rules or regulations to  
37 effectuate the purposes of sections 1 to 37 of P.L.2007, c.63  
38 (C.40A:65-1 et al.).

39 (2) The commission may establish a fee schedule to cover the  
40 costs of effectuating its services; provided, however, that the fees so  
41 assessed shall not exceed the commission's actual cost of  
42 effectuating those provisions.

43 (3) Within 14 days of receiving a decision, a party aggrieved by  
44 a decision of a mediator or arbitrator assigned by the commission  
45 may file notice of an appeal of an award to the commission. In  
46 deciding an appeal, the commission, pursuant to rule and regulation  
47 and upon petition, may afford the parties the opportunity to present  
48 oral arguments. The commission may affirm, modify, correct or



1 vacate the award or may, at its discretion, remand the award to the  
2 same arbitrator or to another arbitrator, selected by lot, for  
3 reconsideration. An aggrieved party may appeal a decision of the  
4 commission to the Appellate Division of the Superior Court.  
5 (cf: P.L.2007, c.63, s.34)

6  
7 15. This act shall take effect immediately.

8  
9  
10 STATEMENT

11  
12 This bill amends the “Uniform Shared Services and  
13 Consolidation Act” (USSCA) and other statutory law to change the  
14 name of “joint meetings” to “regional service agencies” to better  
15 reflect the purpose and operation of these entities.

16 Under the provisions of the bill, a “regional service agency”  
17 would have the same definition and the same powers and authority  
18 as a “joint meeting.” The bill provides that on or after its effective  
19 date, any joint contract entered into by two or more local units  
20 would form a regional service agency, rather than a joint meeting.  
21 Any joint meetings created by joint contract prior to the enactment  
22 of the bill would continue and would be governed in the same  
23 manner by the USSCA as regional service agencies.

24 Current law provides that joint meetings are the joint operation  
25 of any public services, public improvements, works, facilities, or  
26 other undertaking by contracting local units pursuant to a joint  
27 contract. A joint meeting is a public body corporate and politic  
28 constituting a political subdivision of the State for the exercise of  
29 public and essential governmental functions to provide for the  
30 public health and welfare. A joint meeting has the following powers  
31 and authority, which may be exercised by its management  
32 committee to the extent provided for in the joint contract:

33 (1) to sue and be sued;

34 (2) to acquire and hold real and personal property by deed, gift,  
35 grant, lease, purchase, condemnation or otherwise;

36 (3) to enter into any and all contracts or agreements and to  
37 execute any and all instruments;

38 (4) to do and perform any and all acts or things necessary,  
39 convenient or desirable for the purposes of the joint meeting or to  
40 carry out any powers expressly provided under the USCAA.

41 (5) to sell real and personal property owned by the joint meeting  
42 at public sale;

43 (6) to operate all services, lands, public improvements, works,  
44 facilities or undertakings for the purposes and objects of the joint  
45 meeting;

46 (7) to enter into a contract or contracts providing for or relating  
47 to the use of its services, lands, public improvements, works,  
48 facilities or undertakings, or any part thereof, by local units who are

1 not members of the joint meeting, and other persons, upon payment  
2 of charges therefor as fixed by the management committee;

3 (8) to receive whatever State or federal aid or grants that may be  
4 available for the purposes of the joint meeting and to make and  
5 perform any agreements and contracts that are necessary or  
6 convenient in connection with the application for, procurement,  
7 acceptance, or disposition of such State or federal aid or grants; and

8 (9) to acquire, maintain, use, and operate lands, public  
9 improvements, works, or facilities in any municipality in the State,  
10 except where the governing body of the municipality, by resolution  
11 adopted within 60 days after receipt of written notice of intention to  
12 so acquire, maintain, use, or operate, finds that the same would  
13 adversely affect the governmental operations and functions and the  
14 exercise of the police powers of that municipality.

15 Under the bill, this definition and these powers and authority  
16 also would apply to regional service agencies. Additionally, the bill  
17 clarifies that joint meetings and regional service agencies are  
18 subject to the “Local Fiscal Affairs Law. “

19

20

21

22

23 Renames joint meetings as regional service agencies;  
24 grandfathers existing joint meetings.

# SENATE, No. 3763

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 16, 2019

**Sponsored by:**

**Senator DAWN MARIE ADDIEGO**

**District 8 (Atlantic, Burlington and Camden)**

**Senator CHRISTOPHER "KIP" BATEMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Senator PAUL A. SARLO**

**District 36 (Bergen and Passaic)**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblyman RONALD S. DANCER**

**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**Assemblyman PARKER SPACE**

**District 24 (Morris, Sussex and Warren)**

**Co-Sponsored by:**

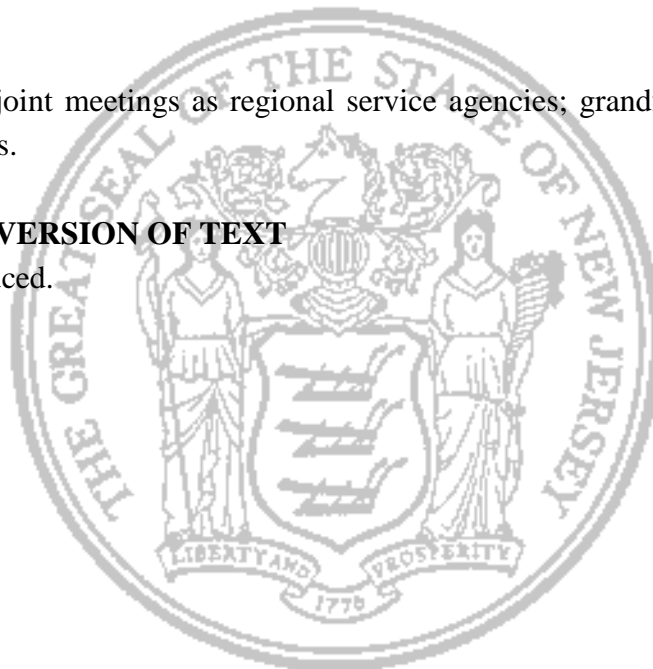
**Senator Oroho, Assemblyman Wirths and Assemblywoman Downey**

**SYNOPSIS**

Renames joint meetings as regional service agencies; grandfathers existing joint meetings.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/14/2020)

1 AN ACT concerning joint meetings and regional service agencies,  
2 amending P.L.1960, c.3, and supplementing and amending  
3 P.L.2007, c.63.

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

7  
8 1. (New section) Whenever the term "joint meeting" as defined  
9 in section 3 of P.L.2007, c.63 (C.40A:65-3), and which powers and  
10 authority are set forth in section 7 of P.L.1960, c.3 (C.40:48B-2.1)  
11 and section 15 of P.L.2007, c.63 (40A:65-15) occurs or any  
12 reference is made thereto in any law, contract, or other document,  
13 the same shall be deemed to mean or refer to a "regional service  
14 agency" as also defined in section 3 of P.L.2007, c.63 (C.40A:65-  
15 3), established by joint contract on or after the date of enactment of  
16 P.L. , c. (C. ) (pending before the Legislature as this bill).

17  
18 2. Section 7 of P.L.1960, c.3 (C.40:48B-2.1) is amended to  
19 read as follows:

20 7. a. **【The】** A joint meeting or regional service agency, both  
21 as defined in section 3 of P.L.2007, c.63 (C.40A:65-3), shall be a  
22 public body corporate and politic constituting a political subdivision  
23 of the State exercising public and essential governmental functions  
24 to provide for the public health and welfare, and qualifies as a  
25 "local unit," as defined in section 3 of the "Local Fiscal Affairs  
26 Law," N.J.S.40A:5-3. The joint meeting or regional service agency  
27 shall have the following powers and authority, which may be  
28 exercised by the management committee to the extent provided in  
29 the joint contract:

30 (1) To sue and be sued;

31 (2) To acquire and hold real and personal property by deed, gift,  
32 grant, lease, purchase, condemnation or otherwise;

33 (3) To enter into any and all contracts or agreements and to  
34 execute any and all instruments;

35 (4) To do and perform any and all acts or things necessary,  
36 convenient or desirable for the purposes of the joint meeting or  
37 regional service agency or to carry out any powers expressly **【given**  
38 **in this act】** provided in section 7 of P.L.1960, c.3 (C.40:48B-2.1);

39 (5) To sell real and personal property owned by the joint  
40 meeting or regional service agency at public sale;

41 (6) To operate all services, lands, public improvements, works,  
42 facilities or undertakings for the purposes and objects of the joint  
43 meeting or regional service agency;

44 (7) To enter into a contract or contracts providing for or relating  
45 to the use of its services, lands, public improvements, works,

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 facilities or undertakings, or any part thereof, by local units who are  
2 not members of the joint meeting or regional service agency, and  
3 other persons, upon payment of changes therefor as fixed by the  
4 management committee;

5 (8) To receive such State or **【Federal】** federal aids or grants as  
6 may be available for the purposes of the joint meeting or regional  
7 service agency and to make and perform such agreements and  
8 contracts as may be necessary or convenient in connection with the  
9 application for, procurement, acceptance or disposition of such  
10 State or **【Federal】** federal aids or grants; and

11 (9) To acquire, maintain, use and operate lands, public  
12 improvements, works or facilities in any municipality in the State,  
13 except where the governing body of such municipality, by  
14 resolution adopted within 60 days after receipt of written notice of  
15 intention to so acquire, maintain, use or operate, shall find that the  
16 same would adversely affect the governmental operations and  
17 functions and the exercise of the police powers of such  
18 municipality.

19 b. If the governing body of a municipality in which a joint  
20 meeting or regional service agency has applied for the location and  
21 erection of sewage treatment or solid waste disposal facilities  
22 refuses permission therefor or fails to take final action upon the  
23 application within 60 days of its filing, the joint meeting or regional  
24 service agency may, at any time within 30 days following the date  
25 of such refusal or the date of expiration of said period of 60 days,  
26 apply to the Department of Environmental Protection, which is  
27 authorized, after hearing the joint meeting or regional service  
28 agency and the municipality interested, to grant the application for  
29 the erection of the sewage treatment or disposal or solid waste  
30 treatment or disposal facilities, notwithstanding the aforesaid  
31 refusal or failure to act of the governing body, upon being satisfied  
32 that the topographical and other physical conditions existing in the  
33 local units comprising the joint meeting or regional service agency  
34 are such as to make the erection of such facilities within its  
35 boundaries impracticable as an improvement for the benefit of the  
36 whole applying joint meeting or regional service agency.

37 (cf: P.L.1973, c.208, s.13)

38

39 3. Section 3 of P.L.2007, c.63 (C.40A:65-3) is amended to read  
40 as follows:

41 3. As used in sections 1 through 35 of P.L.2007, c.63  
42 (C.40A:65-1 through C.40A:65-35):

43 "Board" means the Local Finance Board in the Division of Local  
44 Government Services in the Department of Community Affairs.

45 "Construct" and "construction" connote and include acts of  
46 construction, reconstruction, replacement, extension, improvement  
47 and betterment of lands, public improvements, works, facilities,  
48 services or undertakings.

1 "Contracting local units" means local units participating in a  
2 joint meeting or regional service agency.

3 "Director" means the Director of the Division of Local  
4 Government Services in the Department of Community Affairs.

5 "Division" means the Division of Local Government Services in  
6 the Department of Community Affairs.

7 "Governing body" means the board, commission, council, or  
8 other body having the control of the finances of a local unit; and in  
9 those local units in which an executive officer is authorized by law  
10 to participate in such control through powers of recommendation,  
11 approval, or veto, the term includes that executive officer, to the  
12 extent of the officer's statutory participation.

13 "Joint contract" means: (1) an agreement between two or more  
14 local units to form a joint meeting , entered into before the date of  
15 enactment of P.L. , c. (C. ) (pending before the Legislature  
16 as this bill); or (2) an agreement between two or more local units to  
17 form a regional service agency, entered into on or after the date of  
18 enactment of P.L. , c. (C. ) (pending before the Legislature  
19 as this bill).

20 "Joint meeting" means the joint operation of any public services,  
21 public improvements, works, facilities, or other undertaking by  
22 contracting local units pursuant to a joint contract under section 14  
23 of P.L.2007, c.63 (C.40A:65-14) , entered into before the date of  
24 enactment of P.L. , c. (C. ) (pending before the Legislature  
25 as this bill.

26 "Local unit" means a "contracting unit" pursuant to section 2 of  
27 P.L.1971, c.198 (C.40A:11-2), a "district" pursuant to  
28 N.J.S.18A:18A-2, a "county college" pursuant to N.J.S.18A:64A-1,  
29 a joint meeting or regional service agency, as defined in this  
30 section, or any authority or special district that is subject to the  
31 "Local Authorities Fiscal Control Law," P.L.1983, c.313  
32 (C.40A:5A-1 et seq.).

33 "Operate" and "operation" mean and include acquisition,  
34 construction, maintenance, management, and administration of any  
35 lands, public improvements, works, facilities, services, or  
36 undertakings.

37 "Person" means any person, association, corporation, nation,  
38 State, or any agency or subdivision thereof, or a county or  
39 municipality of the State.

40 "Regional service agency" means the joint operation of any  
41 public services, public improvements, works, facilities, or other  
42 undertaking by contracting local units pursuant to a joint contract  
43 under section 14 of P.L.2007, c.63 (C.40A:65-14), entered into on  
44 or after the date of enactment of P.L. , c. (C. ) (pending  
45 before the Legislature as this bill.

46 "Service" means any of the powers, duties and functions  
47 exercised or performed by a local unit by or pursuant to law.

1 "Shared service" or "shared" means any service provided on a  
2 regional, joint, interlocal, shared, or similar basis between local  
3 units, the provisions of which are memorialized by agreement  
4 between the participating local units, but, for the purposes of this  
5 act, does not include any specific service or activity regulated by  
6 some other law, rule or regulation.

7 "Shared service agreement" or "agreement" means a contract  
8 authorized under section 4 of P.L.2007, c.63 (C.40A:65-4).

9 "Terminal leave benefit" means a single, lump sum payment,  
10 paid at termination, calculated using the regular base salary at the  
11 time of termination.

12 (cf: P.L.2007, c.63, s.3)

13

14 4. Section 10 of P.L.2007, c.63 (C.40A:65-10) is amended to  
15 read as follows:

16 10. In the event that any authority, board, commission, district,  
17 joint meeting, regional service agency, or other body created by one  
18 or more local units proposes to enter into a contract under sections 1  
19 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.), whereby that entity  
20 agrees to have performed on its behalf services, the cost of which  
21 shall equal one-half or more of the total costs of the services being  
22 performed by that entity immediately prior to the adoption of the  
23 proposed contract, then the contract shall require approval by  
24 resolution of the governing body of each local unit which created  
25 the entity or which has become a participant therein subsequent to  
26 its creation.

27 (cf: P.L.2007, c.63, s.10)

28

29 5. Section 11 of P.L.2007, c.63 (C.40A:65-11) is amended to  
30 read as follows:

31 11. a. When a local unit contracts, through a shared service  
32 **【or】** , joint meeting, or regional service agency to have another  
33 local unit **【or a】** , joint meeting , or regional service agency provide  
34 a service it is currently providing using public employees and one  
35 or more of the local units have adopted Title 11A, Civil Service,  
36 then the agreement shall include an employment reconciliation plan  
37 in accordance with this section that **【and, if one or more of the local**  
38 **units have adopted Title 11A, Civil Service,】** shall specifically set  
39 forth the intended jurisdiction of the Civil Service Commission. An  
40 employment reconciliation plan shall be subject to the following  
41 provisions:

42 (1) a determination of those employees, if any, that shall be  
43 transferred to the providing local unit, retained by the recipient  
44 local unit, or terminated from employment for reasons of economy  
45 or efficiency, subject to the provisions of any existing collective  
46 bargaining agreements within the local units.

47 (2) any employee terminated for reasons of economy or  
48 efficiency by the local unit providing the service under the shared

1 service agreement shall be given a terminal leave payment of not  
2 less than a period of one month for each five-year period of past  
3 service as an employee with the local unit, or other enhanced  
4 benefits that may be provided or negotiated. For the purposes of  
5 this paragraph, "terminal leave payment" means a single, lump sum  
6 payment, paid at termination, calculated using the regular base  
7 salary at the time of termination. Unless otherwise negotiated or  
8 provided by the employer, a terminal leave benefit shall not include  
9 extended payment, or payment for retroactive salary increases,  
10 bonuses, overtime, longevity, sick leave, accrued vacation or other  
11 time benefit, or any other benefit.

12 (3) the Civil Service Commission shall place any employee that  
13 has permanent status pursuant to Title 11A, Civil Service, of the  
14 New Jersey Statutes that is terminated for reasons of economy or  
15 efficiency at any time by either local unit on a special  
16 reemployment list for any civil service employer within the county  
17 of the agreement or any political subdivision therein.

18 (4) when a proposed shared service agreement affects  
19 employees in local units subject to Title 11A, Civil Service, of the  
20 New Jersey Statutes, an employment reconciliation plan shall be  
21 filed with the Civil Service Commission prior to the approval of the  
22 shared service agreement. The commission shall review it for  
23 consistency with this section within 45 days of receipt and it shall  
24 be deemed approved, subject to approval of the shared service  
25 agreement by the end of that time, unless the commission has  
26 responded with a denial or conditions that must be met in order for  
27 it to be approved.

28 (5) when an action is required of the Civil Service Commission  
29 by this section, parties to a planned shared service agreement may  
30 consult with that commission in advance of the action and the  
31 commission shall provide such technical support as may be  
32 necessary to assist in the preparation of an employment  
33 reconciliation plan or any other action required of the commission  
34 by this section.

35 b. If all the local units that are parties to the agreement are  
36 subject to the provisions of Title 11A, Civil Service, of the New  
37 Jersey Statutes, the Civil Service Commission shall create an  
38 implementation plan for the agreement that will: (1) transfer  
39 employees with current status in current title unless reclassified, or  
40 (2) reclassify employees into job titles that best reflect the work to  
41 be performed. The Civil Service Commission shall review whether  
42 any existing hiring or promotional lists should be merged,  
43 inactivated, or re-announced. Non-transferred employees shall be  
44 removed or suspended only for good cause and after the opportunity  
45 for a hearing before the Civil Service Commission; provided,  
46 however, that they may be laid-off in accordance with the  
47 provisions of N.J.S.11A:8-1 et seq., and the regulations  
48 promulgated thereunder. The final decision of which employees



1 shall transfer to the new employer is vested solely with the local  
2 unit that will provide the service and subject to the provisions of  
3 any existing collective bargaining agreements within the local units.

4 c. If the local unit that will provide the service pursuant to a  
5 shared service agreement is subject to Title 11A, Civil Service, of  
6 the New Jersey Statutes, but the local unit to receive the service is  
7 not subject to that Title, and the contracting local units desire that  
8 some or all employees of the recipient local unit are to be  
9 transferred to the providing local unit, the Civil Service  
10 Commission shall vest only those employees who have been  
11 employed for one year or more in permanent status pursuant to  
12 N.J.S.11A:9-9 in appropriate titles, seniority, and tenure with the  
13 providing local unit based on the duties of the position. The final  
14 decision of which employees shall transfer to the new employer is  
15 vested solely with the local unit that will provide the service and  
16 subject to the provisions of any existing collective bargaining  
17 agreements within the local units.

18 d. If the local unit that will provide the service is not subject to  
19 the provisions of Title 11A, Civil Service, of the New Jersey  
20 Statutes, but the local unit that will receive the service is subject to  
21 that Title and the parties desire that some or all employees of the  
22 recipient local unit are to be transferred to the providing local unit,  
23 the transferred employees shall be granted tenure in office and shall  
24 only be removed or suspended for good cause and after a hearing;  
25 provided, however, that they may be laid-off in accordance with the  
26 provisions of N.J.S.11A:8-1 et seq., and the regulations  
27 promulgated thereunder. The transferred employees shall be  
28 subject to layoff procedures prior to the transfer to the new entity.  
29 Once transferred, they will be subject to any employment contracts  
30 and provisions that exist for the new entity. The final decision of  
31 which employees shall transfer to the new employer is vested solely  
32 with the local unit that will provide the service and subject to the  
33 provisions of any existing collective bargaining agreements within  
34 the local units.

35 (cf: P.L.2008, c.29, s.101)

36

37 6. Section 14 of P.L.2007, c.63 (40A:65-14) is amended to read  
38 as follows:

39 14. a. The governing bodies of any two or more local units  
40 may enter into a joint contract, for a period not to exceed 40 years,  
41 to provide for the formation of a joint meeting or regional service  
42 agency for the joint operation of any public services, public  
43 improvements, works, facilities, or undertakings which the local  
44 units are empowered to operate. The contract shall be entered into  
45 in accordance with the procedures set forth in subsection b. of  
46 section 16 of **【this act】** P.L.2007, c.63 (C.40A:65-16).

47 b. A joint contract may provide for joint services for any  
48 services which any contracting local unit, on whose behalf those

1 services are to be performed, is legally authorized to provide for  
2 itself. Those services include, but are not limited to, general  
3 government administration, health, police and fire protection, code  
4 enforcement, assessment and collection of taxes, financial  
5 administration, environmental protection, joint municipal courts,  
6 and youth, senior citizens and social welfare programs.

7 c. The joint contract shall set forth the public services, public  
8 improvements, works, facilities, or undertakings which the  
9 contracting local units desire to operate jointly, and shall provide in  
10 general terms the manner in which the public services, public  
11 improvements, works, facilities or undertakings shall be jointly  
12 operated, and the respective duties and responsibilities of the  
13 contracting local units.

14 d. No joint contract pursuant to this section shall authorize the  
15 operation of any property or service defined as a "public utility" by  
16 R.S.48:2-13, except as may otherwise be provided by law.

17 (cf: P.L.2007, c.63, s.14)

18

19 7. Section 15 of P.L.2007, c.63 (C.40A:65-15) is amended to  
20 read as follows:

21 15. a. A joint meeting or regional service agency is a public  
22 body corporate and politic constituting a political subdivision of the  
23 State for the exercise of public and essential governmental  
24 functions to provide for the public health and welfare, and qualifies  
25 as a "local unit," as defined in section 3 of the "Local Fiscal Affairs  
26 Law," N.J.S.40A:5-3.

27 b. A joint meeting or regional service agency has the following  
28 powers and authority, which may be exercised by its management  
29 committee to the extent provided for in the joint contract:

30 (1) to sue and be sued;

31 (2) to acquire and hold real and personal property by deed, gift,  
32 grant, lease, purchase, condemnation or otherwise;

33 (3) to enter into any and all contracts or agreements and to  
34 execute any and all instruments;

35 (4) to do and perform any and all acts or things necessary,  
36 convenient or desirable for the purposes of the joint meeting or  
37 regional service agency or to carry out any powers expressly given  
38 in sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through  
39 C.40A:65-35);

40 (5) to sell real and personal property owned by the joint meeting  
41 or regional service agency at public sale;

42 (6) to operate all services, lands, public improvements, works,  
43 facilities or undertakings for the purposes and objects of the joint  
44 meeting or regional service agency;

45 (7) to enter into a contract or contracts providing for or relating  
46 to the use of its services, lands, public improvements, works,  
47 facilities or undertakings, or any part thereof, by local units who are  
48 not members of the joint meeting or regional service agency, and

1 other persons, upon payment of charges therefor as fixed by the  
2 management committee;

3 (8) to receive whatever State or federal aid or grants that may be  
4 available for the purposes of the joint meeting or regional service  
5 agency and to make and perform any agreements and contracts that  
6 are necessary or convenient in connection with the application for,  
7 procurement, acceptance, or disposition of such State or federal aid  
8 or grants; and

9 (9) to acquire, maintain, use, and operate lands, public  
10 improvements, works, or facilities in any municipality in the State,  
11 except where the governing body of the municipality, by resolution  
12 adopted within 60 days after receipt of written notice of intention to  
13 so acquire, maintain, use, or operate, shall find that the same would  
14 adversely affect the governmental operations and functions and the  
15 exercise of the police powers of that municipality.

16 c. If the governing body of a municipality in which a joint  
17 meeting or regional service agency has applied for the location and  
18 erection of sewage treatment or solid waste disposal facilities  
19 refuses permission therefor, or fails to take final action upon the  
20 application within 60 days of its filing, the joint meeting or regional  
21 service agency may, at any time within 30 days following the date  
22 of such refusal or the date of expiration of the 60-day period, apply  
23 to the Department of Environmental Protection for relief. That  
24 department is authorized, after hearing the joint meeting or regional  
25 service agency and the interested municipality, to grant the  
26 application for the erection of the sewage treatment or disposal or  
27 solid waste treatment or disposal facilities, notwithstanding the  
28 refusal or failure to act of the municipal governing body, upon  
29 being satisfied that the topographical and other physical conditions  
30 existing in the local units comprising the joint meeting or regional  
31 service agency are such as to make the erection of such facilities  
32 within its boundaries impracticable as an improvement for the  
33 benefit of the whole applying joint meeting or regional service  
34 agency.

35 (cf: P.L.2007, c.63, s.15.)

36

37 8. Section 16 of P.L.2007, c.63 (40A:65-16) is amended to read  
38 as follows:

39 16. a. The joint contract shall provide for the operation of the  
40 public services, public improvements, works, facilities, or  
41 undertakings of the joint meeting or regional service agency, for the  
42 apportionment of the costs and expenses of operation required  
43 therefor among the contracting local units, for the addition of other  
44 local units as members of the joint meeting or regional service  
45 agency, for the terms and conditions of continued participation and  
46 discontinuance of participation in the joint meeting or regional  
47 service agency by the contracting local units, and for such other  
48 terms and conditions as may be necessary or convenient for the

1 purposes of the joint meeting or regional service agency. The  
2 apportionment of costs and expenses may be based upon assessed  
3 valuations, population, and such other factor or factors, or any  
4 combination thereof, as may be provided in the joint contract.

5 b. (1) Notwithstanding any law to the contrary concerning  
6 approval of contracts, the joint contract shall be subject to approval  
7 by resolution of the governing bodies of each of the local units prior  
8 to its execution by the official or officials who are authorized to  
9 execute a joint contract.

10 (2) The joint contract shall specify the name by which the joint  
11 meeting or regional service agency shall be known.

12 (3) The joint contract may be amended from time to time by  
13 agreement of the parties thereto, in the same manner as the original  
14 contract was authorized and approved.

15 (4) A copy of every resolution creating a joint meeting or  
16 regional service agency, and every amendment thereto, shall be  
17 forthwith filed with the director.

18 (cf: P.L.2007, c.63, s.16)

19

20 9. Section 18 of P.L.2007, c.63 (C.40A:65-18) is amended to  
21 read as follows:

22 18. a. When a joint meeting or regional service agency merges  
23 bargaining units that have current contracts negotiated in  
24 accordance with the provisions of the "New Jersey Employer-  
25 Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.), the  
26 terms and conditions of the existing contracts shall apply to the  
27 rights of the members of the respective bargaining units until a new  
28 contract is negotiated, reduced to writing, and signed by the parties  
29 as provided pursuant to law and regulation promulgated thereunder.

30 b. The Public Employment Relations Commission is  
31 specifically authorized to provide technical advice, pursuant to  
32 section 12 of P.L.1968, c.303 (C.34:13A-8.3), and mediation  
33 services to integrate separate labor agreements into single  
34 agreements for the joint contract. The commission may order  
35 binding arbitration, pursuant to P.L.1995, c.425 (C.34:13A-14a et  
36 al.), to integrate any labor agreement.

37 (cf: P.L.2007, c.63, s.18)

38

39 10. Section 19 of P.L.2007, c.63 (C.40A:65-19) is amended to  
40 read as follows:

41 19. a. When a local unit agrees to participate in a joint meeting  
42 or regional service agency that will provide a service that the local  
43 unit is currently providing itself through public employees, the  
44 agreement shall include an employment reconciliation plan in  
45 accordance with this section. An employment reconciliation plan  
46 shall be subject to the following provisions:

1 (1) a determination of those employees, if any, that shall be  
2 transferred to the joint meeting or regional service agency, retained  
3 by the contracting local unit, or terminated from employment for  
4 reasons of economy or efficiency subject to the provisions of any  
5 collective bargaining agreements within the local units.

6 (2) any employee terminated for reasons of economy or  
7 efficiency by the contracting local unit providing the service or by  
8 the joint meeting or regional service agency shall be given a  
9 terminal leave payment of not less than a period of one month for  
10 each five-year period of past service as an employee with the local  
11 unit, or other enhanced benefits that may be provided or negotiated.  
12 Unless otherwise negotiated or provided by the employer, a  
13 terminal leave benefit shall not include extended payment, or  
14 payment for retroactive salary increases, bonuses, overtime,  
15 longevity, sick leave, accrued vacation or other time benefit, or any  
16 other benefit.

17 (3) the Civil Service Commission shall place any employee that  
18 has permanent status pursuant to Title 11A, Civil Service, of the  
19 New Jersey Statutes that is terminated for reasons of economy or  
20 efficiency at any time by either local unit on a special  
21 reemployment list for any civil service employer within the county  
22 of the agreement or any political subdivision therein.

23 (4) when a proposed joint contract affects employees in local  
24 units that operate under the provisions of Title 11A, Civil Service,  
25 of the New Jersey Statutes, an employment reconciliation plan shall  
26 be filed with the Civil Service Commission prior to the approval of  
27 the joint meeting or regional service agency agreement. That  
28 commission shall review the plan for consistency with this section  
29 within 45 days of receipt and it shall be deemed approved, subject  
30 to approval of the joint meeting or regional service agency  
31 agreement by the end of that time, unless that commission has  
32 responded with a denial or conditions that must be met in order for  
33 it to be approved.

34 (5) when an action is required of the Civil Service Commission  
35 by this section, parties to a proposed joint contract may consult with  
36 the commission in advance of the action and the commission shall  
37 provide such technical support as may be necessary to assist in the  
38 preparation of an employment reconciliation plan or any other  
39 action required of the commission by this section.

40 b. If both the local unit and joint meeting or regional service  
41 agency operate under the provisions of Title 11A, Civil Service, of  
42 the New Jersey Statutes, the Civil Service Commission shall create  
43 an implementation plan for employees to be hired by the joint  
44 meeting or regional service agency that will: (1) transfer employees  
45 with current status in current title unless reclassified or (2)  
46 reclassify employees, if necessary, into job titles that best reflect the  
47 work to be performed. The Civil Service Commission shall review  
48 whether any existing hiring or promotional lists should be merged,

1 inactivated, or re-announced. Non-transferred employees shall be  
2 removed or suspended only for good cause and after the opportunity  
3 for a hearing before the Civil Service Commission; provided,  
4 however, that they may be laid-off in accordance with the  
5 provisions of N.J.S.11A:8-1 et seq., and the regulations  
6 promulgated thereunder. The final decision of which employees  
7 shall transfer to the new employer is vested solely with the local  
8 unit that will provide the service and subject to the provisions of  
9 any existing collective bargaining agreements within the local units.

10 c. If the joint meeting or regional service agency operates  
11 under the provisions of Title 11A, Civil Service, of the New Jersey  
12 Statutes, and a local unit receiving the service is not subject to that  
13 Title, and the parties desire that some or all employees of the local  
14 unit be transferred to the joint meeting or regional service agency,  
15 the Civil Service Commission shall vest only those employees who  
16 have been employed one year or more in permanent status pursuant  
17 to N.J.S.40A:9-9 in appropriate titles, seniority, and tenure with the  
18 providing local unit based on the duties of the position. The final  
19 decision of which employees shall transfer to the new employer is  
20 vested solely with the joint meeting or regional service agency and  
21 subject to the agreements affecting the parties, provided that those  
22 agreements do not conflict with the provisions of any existing  
23 collective bargaining agreements within the local units.

24 d. (1) If the joint meeting or regional service agency does not  
25 operate under the provisions of Title 11A, Civil Service, of the New  
26 Jersey Statutes, and the local unit receiving the service is subject to  
27 that Title, and the parties desire that some or all employees of the  
28 recipient local unit are to be transferred to the joint meeting or  
29 regional service agency, then the transferred employees shall be  
30 granted tenure in office and shall be removed or suspended only for  
31 good cause and after a hearing. The transferred employees shall be  
32 subject to layoff procedures prior to the transfer to the new entity.  
33 Once transferred, they will be subject to any employment contracts  
34 and provisions that exist for the new entity. The final decision of  
35 which employees shall transfer to the joint meeting or regional  
36 service agency is vested solely with the joint meeting or regional  
37 service agency and subject to the provisions of any existing  
38 collective bargaining agreements within the local units.

39 (2) A joint meeting or regional service agency established after  
40 the effective date of sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1  
41 et al.) that affects both employees in local units subject to Title  
42 11A, Civil Service, of the New Jersey Statutes and employees in  
43 local units not subject to that Title, shall determine whether the  
44 employees of the joint meeting or regional service agency shall be  
45 subject to the Title. If the joint meeting or regional service agency  
46 determines that the employees shall not be subject to Title 11A,  
47 Civil Service, of the New Jersey Statutes, then the employees from  
48 the local units in which the Title is in effect shall have the same

1 rights as employees transferred pursuant to paragraph (1) of this  
2 subsection.

3 (cf: P.L.2008, c.29, s.102)

4

5 11. Section 20 of P.L.2007, c.63 (C.40A:65-20) is amended to  
6 read as follows:

7 20. a. The joint contract shall provide for the constitution and  
8 appointment of a management committee to consist of at least three  
9 members, of which one shall be appointed by the governing body of  
10 each of the local units executing the joint contract. The members  
11 shall be residents of the appointing local unit, except that a member  
12 who is the chief financial officer, business administrator, municipal  
13 administrator, or municipal manager of the local unit making the  
14 appointment need not be a resident of the appointing local unit.  
15 The appointees may or may not be members of the appointing  
16 governing body. Each member of the management committee shall  
17 hold office for the term of one year and until the member's  
18 successor has been appointed and qualified. In the event that there  
19 is an even number of local units that are parties to the joint contract,  
20 the management committee shall consist of one member appointed  
21 by each of the governing bodies and one member selected by the  
22 two other appointed members.

23 b. The management committee shall elect annually from among  
24 its members a chair to preside over its meetings. The management  
25 committee may appoint such other officers and employees,  
26 including counsel, who need not be members of the management  
27 committee or members of the governing bodies or employees or  
28 residents of the local units, as it may deem necessary. The  
29 employees appointed by the management committee shall hold  
30 office for such term not exceeding four years as may be provided by  
31 the joint contract. The management committee shall adopt rules  
32 and regulations to provide for the conduct of its meetings and the  
33 duties and powers of the chairman and such other officers and  
34 employees as may be appointed. All actions of the management  
35 committee shall be by vote of the majority of the entire membership  
36 of the committee, except for those matters for which the contract  
37 requires a greater number, and shall be binding on all local units  
38 who have executed the joint contract. The management committee  
39 shall exercise all of the powers of the joint meeting or regional  
40 service agency subject to the provisions of the joint contract.

41 The joint contract may provide for the delegation of the  
42 administration of any or all of the services, lands, public  
43 improvements, works, facilities or undertakings of the joint meeting  
44 or regional service agency to the governing body of any one of the  
45 several contracting local units, in which event such governing body  
46 shall have and exercise all of the powers and authority of the  
47 management committee with respect to such delegated functions.

48 (cf: P.L.2007, c.63, s.20)

1       12. Section 30 of P.L.2007, c.63 (C.40A:65-30) is amended to  
2 read as follows:

3       30. a. A local unit that plans to study the feasibility of a shared  
4 service agreement, joint **【meeting】** contract, or municipal  
5 consolidation may apply to the director for grants or loans to fund  
6 the study, including consultant costs, and to fund one-time start-up  
7 costs of a shared service agreement or joint **【meeting】** contract or  
8 municipal consolidation. The director, in consultation with the  
9 Commissioner of Education, shall establish a program to be known  
10 as the "Sharing Available Resources Efficiently" program, or  
11 "SHARE," to accomplish this purpose, and, in consultation with the  
12 commissioner, shall promulgate rules and regulations necessary to  
13 effectuate the purposes of the program.

14       b. The director, in consultation with the commissioner, shall  
15 provide guidelines and procedures for the submission of SHARE  
16 grant and loan applications.

17       c. Applications for shared service study funds:

18       (1) May require such local match of funds, as is determined by  
19 the director for the studies if the director finds that the local unit is  
20 financially capable of providing such matching funds.

21       (2) Shall not require a local match of funds for consolidation  
22 studies under sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.)  
23 or the "Municipal Consolidation Act," P.L.1977, c.435 (C.40:43-  
24 66.35 et al.).

25       (3) Grants for implementation of shared services may include  
26 financial assistance for terminal leave benefits, but not for early  
27 retirement incentives related to pension contributions.

28       d. Applications for one-time start-up costs shall provide that:

29       (1) Local units may apply for financial assistance for the one-  
30 time start-up costs necessary to implement shared services. Costs  
31 that may be financed through the issuance of debt or capital lease  
32 agreements shall be excluded from this program.

33       (2) The director may set limits on aid awards and negotiate the  
34 various provisions, costs, payment provisions, and amounts of  
35 grants or loans to ensure that the shared service is cost effective and  
36 in the public interest. Financial assistance for costs associated with  
37 terminal leave benefits shall be limited to the lesser of the officer or  
38 employee's regular base rate of compensation that is paid for the  
39 terminal leave benefit pursuant to an applicable employment  
40 contract, local practice, local ordinance, or State law.

41       e. The director may provide technical support programs to  
42 assist local units in applying for grants or aid for studying shared  
43 services.

44 (cf: P.L.2007, c.63, s.30)

45

46       13. Section 32 of P.L.2007, c.63 (C.40A:65-32) is amended to  
47 read as follows:



1       32. The governing body of a municipality may adopt, at any  
2 regular meeting, a resolution requesting the clerk of the county to  
3 print upon the official ballots to be used at the next ensuing regular  
4 or general election, as appropriate, a certain proposition to authorize  
5 the creation of a citizen's commission, consisting of members of the  
6 governing body, appropriate municipal officials such as the  
7 municipal purchasing agent, and at least an equal number of  
8 residents of the municipality, and to identify and implement shared  
9 service, joint meeting, regional service agency, or consolidation  
10 opportunities for the municipality. The proposition shall be  
11 formulated and expressed in the resolution in concise form and filed  
12 with the clerk of the county not later than 74 days previous to the  
13 election. If approved by a majority of those voting at the election,  
14 the proposition shall be binding and shall constitute the authority  
15 for the governing body to appoint members to the citizen's  
16 commission and provide resources as it deems necessary.

17 (cf: P.L.2007, c.63, s.32)

18

19       14. Section 34 of P.L.2007, c.63 (C.40A:65-34) is amended to  
20 read as follows:

21       34. a. Any shared service **【or】** agreement, joint **【meeting**  
22 **agreement】** contract, or municipal consolidation shall be deemed in  
23 furtherance of the public good and presumed valid, subject to a  
24 rebuttable presumption of good faith on the part of the governing  
25 bodies entering into the agreement.

26       b. With regard to any responsibilities assigned to the Public  
27 Employment Relations Commission pursuant to sections 1 to 37 of  
28 P.L.2007, c.63 (C.40A:65-1 et al.):

29       (1) The commission may promulgate rules or regulations to  
30 effectuate the purposes of sections 1 to 37 of P.L.2007, c.63  
31 (C.40A:65-1 et al.).

32       (2) The commission may establish a fee schedule to cover the  
33 costs of effectuating its services; provided, however, that the fees so  
34 assessed shall not exceed the commission's actual cost of  
35 effectuating those provisions.

36       (3) Within 14 days of receiving a decision, a party aggrieved by  
37 a decision of a mediator or arbitrator assigned by the commission  
38 may file notice of an appeal of an award to the commission. In  
39 deciding an appeal, the commission, pursuant to rule and regulation  
40 and upon petition, may afford the parties the opportunity to present  
41 oral arguments. The commission may affirm, modify, correct or  
42 vacate the award or may, at its discretion, remand the award to the  
43 same arbitrator or to another arbitrator, selected by lot, for  
44 reconsideration. An aggrieved party may appeal a decision of the  
45 commission to the Appellate Division of the Superior Court.

46 (cf: P.L.2007, c.63, s.34)

47

48       15. This act shall take effect immediately.

STATEMENT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

This bill amends the “Uniform Shared Services and Consolidation Act” (USSCA) and other statutory law to change the name of “joint meetings” to “regional service agencies” to better reflect the purpose and operation of these entities.

Under the provisions of the bill, a “regional service agency” would have the same definition and the same powers and authority as a “joint meeting.” The bill provides that on or after its effective date, any joint contract entered into by two or more local units would form a regional service agency, rather than a joint meeting. Any joint meetings created by joint contract prior to the enactment of the bill would continue and would be governed in the same manner by the USSCA as regional service agencies.

Current law provides that joint meetings are the joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract. A joint meeting is a public body corporate and politic constituting a political subdivision of the State for the exercise of public and essential governmental functions to provide for the public health and welfare. A joint meeting has the following powers and authority, which may be exercised by its management committee to the extent provided for in the joint contract:

- (1) to sue and be sued;
- (2) to acquire and hold real and personal property by deed, gift, grant, lease, purchase, condemnation or otherwise;
- (3) to enter into any and all contracts or agreements and to execute any and all instruments;
- (4) to do and perform any and all acts or things necessary, convenient or desirable for the purposes of the joint meeting or to carry out any powers expressly provided under the USCAA.
- (5) to sell real and personal property owned by the joint meeting at public sale;
- (6) to operate all services, lands, public improvements, works, facilities or undertakings for the purposes and objects of the joint meeting;
- (7) to enter into a contract or contracts providing for or relating to the use of its services, lands, public improvements, works, facilities or undertakings, or any part thereof, by local units who are not members of the joint meeting, and other persons, upon payment of charges therefor as fixed by the management committee;
- (8) to receive whatever State or federal aid or grants that may be available for the purposes of the joint meeting and to make and perform any agreements and contracts that are necessary or convenient in connection with the application for, procurement, acceptance, or disposition of such State or federal aid or grants; and
- (9) to acquire, maintain, use, and operate lands, public improvements, works, or facilities in any municipality in the State,

**S3763 ADDIEGO, BATEMAN**

17

1    except where the governing body of the municipality, by resolution  
2    adopted within 60 days after receipt of written notice of intention to  
3    so acquire, maintain, use, or operate, finds that the same would  
4    adversely affect the governmental operations and functions and the  
5    exercise of the police powers of that municipality.

6        Under the bill, this definition and these powers and authority  
7    also would apply to regional service agencies. Additionally, the bill  
8    clarifies that joint meetings and regional service agencies are  
9    subject to the “Local Fiscal Affairs Law.  “

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 3763

# STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Assembly Appropriations Committee reports favorably Senate Bill No. 3763.

The bill “Uniform Shared Services and Consolidation Act” (USSCA) and other statutory law to change the name of “joint meetings” to “regional service agencies” to better reflect the purpose and operation of these entities.

Under the provisions of the bill, a “regional service agency” would have the same definition and the same powers and authority as a “joint meeting.” The bill provides that on or after its effective date, any joint contract entered into by two or more local units would form a regional service agency, rather than a joint meeting. Any joint meetings created by joint contract prior to the enactment of the bill would continue and would be governed in the same manner by the USSCA as regional service agencies.

Current law provides that joint meetings are the joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract. A joint meeting is a public body corporate and politic constituting a political subdivision of the State for the exercise of public and essential governmental functions to provide for the public health and welfare. A joint meeting has the following powers and authority, which may be exercised by its management committee to the extent provided for in the joint contract:

- (1) to sue and be sued;
- (2) to acquire and hold real and personal property by deed, gift, grant, lease, purchase, condemnation or otherwise;
- (3) to enter into any and all contracts or agreements and to execute any and all instruments;
- (4) to do and perform any and all acts or things necessary, convenient or desirable for the purposes of the joint meeting or to carry out any powers expressly provided under the USCAA.
- (5) to sell real and personal property owned by the joint meeting at public sale;
- (6) to operate all services, lands, public improvements, works, facilities or undertakings for the purposes and objects of the joint meeting;
- (7) to enter into a contract or contracts providing for or relating to the use of its services, lands, public improvements, works, facilities or

undertakings, or any part thereof, by local units who are not members of the joint meeting, and other persons, upon payment of charges therefor as fixed by the management committee;

(8) to receive whatever State or federal aid or grants that may be available for the purposes of the joint meeting and to make and perform any agreements and contracts that are necessary or convenient in connection with the application for, procurement, acceptance, or disposition of such State or federal aid or grants; and

(9) to acquire, maintain, use, and operate lands, public improvements, works, or facilities in any municipality in the State, except where the governing body of the municipality, by resolution adopted within 60 days after receipt of written notice of intention to so acquire, maintain, use, or operate, finds that the same would adversely affect the governmental operations and functions and the exercise of the police powers of that municipality.

Under the bill, this definition and these powers and authority also would apply to regional service agencies. Additionally, the bill clarifies that joint meetings and regional service agencies are subject to the "Local Fiscal Affairs Law."

As reported, this bill is identical to Assembly Bill No. 6116, as also reported by the committee.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

**SENATE, No. 3763**

**STATE OF NEW JERSEY**

DATED: JUNE 13, 2019

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Bill No. 3763.

This bill amends the “Uniform Shared Services and Consolidation Act” (USSCA) and other statutory law to change the name of “joint meetings” to “regional service agencies” to better reflect the purpose and operation of these entities.

Under the provisions of the bill, a “regional service agency” would have the same definition and the same powers and authority as a “joint meeting.” The bill provides that on or after its effective date, any joint contract entered into by two or more local units would form a regional service agency, rather than a joint meeting. Any joint meetings created by joint contract prior to the enactment of the bill would continue and would be governed in the same manner by the USSCA as regional service agencies.

Current law provides that joint meetings are the joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract. A joint meeting is a public body corporate and politic constituting a political subdivision of the State for the exercise of public and essential governmental functions to provide for the public health and welfare. A joint meeting has the following powers and authority, which may be exercised by its management committee to the extent provided for in the joint contract:

- (1) to sue and be sued;
- (2) to acquire and hold real and personal property by deed, gift, grant, lease, purchase, condemnation or otherwise;
- (3) to enter into any and all contracts or agreements and to execute any and all instruments;
- (4) to do and perform any and all acts or things necessary, convenient or desirable for the purposes of the joint meeting or to carry out any powers expressly provided under the USCAA.
- (5) to sell real and personal property owned by the joint meeting at public sale;
- (6) to operate all services, lands, public improvements, works, facilities or undertakings for the purposes and objects of the joint meeting;

(7) to enter into a contract or contracts providing for or relating to the use of its services, lands, public improvements, works, facilities or undertakings, or any part thereof, by local units who are not members of the joint meeting, and other persons, upon payment of charges therefor as fixed by the management committee;

(8) to receive whatever State or federal aid or grants that may be available for the purposes of the joint meeting and to make and perform any agreements and contracts that are necessary or convenient in connection with the application for, procurement, acceptance, or disposition of such State or federal aid or grants; and

(9) to acquire, maintain, use, and operate lands, public improvements, works, or facilities in any municipality in the State, except where the governing body of the municipality, by resolution adopted within 60 days after receipt of written notice of intention to so acquire, maintain, use, or operate, finds that the same would adversely affect the governmental operations and functions and the exercise of the police powers of that municipality.

Under the bill, this definition and these powers and authority also would apply to regional service agencies. Additionally, the bill clarifies that joint meetings and regional service agencies are subject to the "Local Fiscal Affairs Law."

# ASSEMBLY, No. 6116

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 6, 2020

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblyman RONALD S. DANCER**

**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**Assemblyman PARKER SPACE**

**District 24 (Morris, Sussex and Warren)**

**Co-Sponsored by:**

**Assemblyman Wirths and Assemblywoman Downey**

**SYNOPSIS**

Renames joint meetings as regional service agencies; grandfathers existing joint meetings.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/14/2020)**



1 AN ACT concerning joint meetings and regional service agencies,  
2 amending P.L.1960, c.3, and supplementing and amending  
3 P.L.2007, c.63.

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

7  
8 1. (New section) Whenever the term "joint meeting" as defined  
9 in section 3 of P.L.2007, c.63 (C.40A:65-3), and which powers and  
10 authority are set forth in section 7 of P.L.1960, c.3 (C.40:48B-2.1)  
11 and section 15 of P.L.2007, c.63 (40A:65-15) occurs or any  
12 reference is made thereto in any law, contract, or other document,  
13 the same shall be deemed to mean or refer to a "regional service  
14 agency" as also defined in section 3 of P.L.2007, c.63 (C.40A:65-  
15 3), established by joint contract on or after the date of enactment of  
16 P.L. , c. (C. ) (pending before the Legislature as this bill).

17  
18 2. Section 7 of P.L.1960, c.3 (C.40:48B-2.1) is amended to read  
19 as follows:

20 7. a. **【The】** A joint meeting or regional service agency, both as  
21 defined in section 3 of P.L.2007, c.63 (C.40A:65-3), shall be a  
22 public body corporate and politic constituting a political subdivision  
23 of the State exercising public and essential governmental functions  
24 to provide for the public health and welfare, and qualifies as a  
25 "local unit," as defined in section 3 of the "Local Fiscal Affairs  
26 Law," N.J.S.40A:5-3. The joint meeting or regional service agency  
27 shall have the following powers and authority, which may be  
28 exercised by the management committee to the extent provided in  
29 the joint contract:

30 (1) To sue and be sued;

31 (2) To acquire and hold real and personal property by deed, gift,  
32 grant, lease, purchase, condemnation or otherwise;

33 (3) To enter into any and all contracts or agreements and to  
34 execute any and all instruments;

35 (4) To do and perform any and all acts or things necessary,  
36 convenient or desirable for the purposes of the joint meeting or  
37 regional service agency or to carry out any powers expressly **【given**  
38 **in this act】** provided in section 7 of P.L.1960, c.3 (C.40:48B-2.1);

39 (5) To sell real and personal property owned by the joint  
40 meeting or regional service agency at public sale;

41 (6) To operate all services, lands, public improvements, works,  
42 facilities or undertakings for the purposes and objects of the joint  
43 meeting or regional service agency;

44 (7) To enter into a contract or contracts providing for or relating  
45 to the use of its services, lands, public improvements, works,

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 facilities or undertakings, or any part thereof, by local units who are  
2 not members of the joint meeting or regional service agency, and  
3 other persons, upon payment of changes therefor as fixed by the  
4 management committee;

5 (8) To receive such State or **【Federal】** federal aids or grants as  
6 may be available for the purposes of the joint meeting or regional  
7 service agency and to make and perform such agreements and  
8 contracts as may be necessary or convenient in connection with the  
9 application for, procurement, acceptance or disposition of such  
10 State or **【Federal】** federal aids or grants; and

11 (9) To acquire, maintain, use and operate lands, public  
12 improvements, works or facilities in any municipality in the State,  
13 except where the governing body of such municipality, by  
14 resolution adopted within 60 days after receipt of written notice of  
15 intention to so acquire, maintain, use or operate, shall find that the  
16 same would adversely affect the governmental operations and  
17 functions and the exercise of the police powers of such  
18 municipality.

19 b. If the governing body of a municipality in which a joint  
20 meeting or regional service agency has applied for the location and  
21 erection of sewage treatment or solid waste disposal facilities  
22 refuses permission therefor or fails to take final action upon the  
23 application within 60 days of its filing, the joint meeting or regional  
24 service agency may, at any time within 30 days following the date  
25 of such refusal or the date of expiration of said period of 60 days,  
26 apply to the Department of Environmental Protection, which is  
27 authorized, after hearing the joint meeting or regional service  
28 agency and the municipality interested, to grant the application for  
29 the erection of the sewage treatment or disposal or solid waste  
30 treatment or disposal facilities, notwithstanding the aforesaid  
31 refusal or failure to act of the governing body, upon being satisfied  
32 that the topographical and other physical conditions existing in the  
33 local units comprising the joint meeting or regional service agency  
34 are such as to make the erection of such facilities within its  
35 boundaries impracticable as an improvement for the benefit of the  
36 whole applying joint meeting or regional service agency.

37 (cf: P.L.1973, c.208, s.13)

38

39 3. Section 3 of P.L.2007, c.63 (C.40A:65-3) is amended to read  
40 as follows:

41 3. As used in sections 1 through 35 of P.L.2007, c.63  
42 (C.40A:65-1 through C.40A:65-35):

43 "Board" means the Local Finance Board in the Division of Local  
44 Government Services in the Department of Community Affairs.

45 "Construct" and "construction" connote and include acts of  
46 construction, reconstruction, replacement, extension, improvement  
47 and betterment of lands, public improvements, works, facilities,  
48 services or undertakings.

1 "Contracting local units" means local units participating in a  
2 joint meeting or regional service agency.

3 "Director" means the Director of the Division of Local  
4 Government Services in the Department of Community Affairs.

5 "Division" means the Division of Local Government Services in  
6 the Department of Community Affairs.

7 "Governing body" means the board, commission, council, or  
8 other body having the control of the finances of a local unit; and in  
9 those local units in which an executive officer is authorized by law  
10 to participate in such control through powers of recommendation,  
11 approval, or veto, the term includes that executive officer, to the  
12 extent of the officer's statutory participation.

13 "Joint contract" means: (1) an agreement between two or more  
14 local units to form a joint meeting , entered into before the date of  
15 enactment of P.L. , c. (C. ) (pending before the Legislature  
16 as this bill); or (2) an agreement between two or more local units to  
17 form a regional service agency, entered into on or after the date of  
18 enactment of P.L. , c. (C. ) (pending before the Legislature  
19 as this bill).

20 "Joint meeting" means the joint operation of any public services,  
21 public improvements, works, facilities, or other undertaking by  
22 contracting local units pursuant to a joint contract under section 14  
23 of P.L.2007, c.63 (C.40A:65-14) , entered into before the date of  
24 enactment of P.L. , c. (C. ) (pending before the Legislature  
25 as this bill.

26 "Local unit" means a "contracting unit" pursuant to section 2 of  
27 P.L.1971, c.198 (C.40A:11-2), a "district" pursuant to  
28 N.J.S.18A:18A-2, a "county college" pursuant to N.J.S.18A:64A-1,  
29 a joint meeting or regional service agency, as defined in this  
30 section, or any authority or special district that is subject to the  
31 "Local Authorities Fiscal Control Law," P.L.1983, c.313  
32 (C.40A:5A-1 et seq.).

33 "Operate" and "operation" mean and include acquisition,  
34 construction, maintenance, management, and administration of any  
35 lands, public improvements, works, facilities, services, or  
36 undertakings.

37 "Person" means any person, association, corporation, nation,  
38 State, or any agency or subdivision thereof, or a county or  
39 municipality of the State.

40 "Regional service agency" means the joint operation of any  
41 public services, public improvements, works, facilities, or other  
42 undertaking by contracting local units pursuant to a joint contract  
43 under section 14 of P.L.2007, c.63 (C.40A:65-14), entered into on  
44 or after the date of enactment of P.L. , c. (C. ) (pending  
45 before the Legislature as this bill.

46 "Service" means any of the powers, duties and functions  
47 exercised or performed by a local unit by or pursuant to law.

1 "Shared service" or "shared" means any service provided on a  
2 regional, joint, interlocal, shared, or similar basis between local  
3 units, the provisions of which are memorialized by agreement  
4 between the participating local units, but, for the purposes of this  
5 act, does not include any specific service or activity regulated by  
6 some other law, rule or regulation.

7 "Shared service agreement" or "agreement" means a contract  
8 authorized under section 4 of P.L.2007, c.63 (C.40A:65-4).

9 "Terminal leave benefit" means a single, lump sum payment,  
10 paid at termination, calculated using the regular base salary at the  
11 time of termination.

12 (cf: P.L.2007, c.63, s.3)

13

14 4. Section 10 of P.L.2007, c.63 (C.40A:65-10) is amended to  
15 read as follows:

16 10. In the event that any authority, board, commission, district,  
17 joint meeting, regional service agency, or other body created by one  
18 or more local units proposes to enter into a contract under sections 1  
19 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.), whereby that entity  
20 agrees to have performed on its behalf services, the cost of which  
21 shall equal one-half or more of the total costs of the services being  
22 performed by that entity immediately prior to the adoption of the  
23 proposed contract, then the contract shall require approval by  
24 resolution of the governing body of each local unit which created  
25 the entity or which has become a participant therein subsequent to  
26 its creation.

27 (cf: P.L.2007, c.63, s.10)

28

29 5. Section 11 of P.L.2007, c.63 (C.40A:65-11) is amended to  
30 read as follows:

31 11. a. When a local unit contracts, through a shared service  
32 **【or】** , joint meeting, or regional service agency to have another  
33 local unit **【or a】** , joint meeting , or regional service agency provide  
34 a service it is currently providing using public employees and one  
35 or more of the local units have adopted Title 11A, Civil Service,  
36 then the agreement shall include an employment reconciliation plan  
37 in accordance with this section that **【and, if one or more of the local**  
38 **units have adopted Title 11A, Civil Service,】** shall specifically set  
39 forth the intended jurisdiction of the Civil Service Commission. An  
40 employment reconciliation plan shall be subject to the following  
41 provisions:

42 (1) a determination of those employees, if any, that shall be  
43 transferred to the providing local unit, retained by the recipient  
44 local unit, or terminated from employment for reasons of economy  
45 or efficiency, subject to the provisions of any existing collective  
46 bargaining agreements within the local units.

47 (2) any employee terminated for reasons of economy or  
48 efficiency by the local unit providing the service under the shared

1 service agreement shall be given a terminal leave payment of not  
2 less than a period of one month for each five-year period of past  
3 service as an employee with the local unit, or other enhanced  
4 benefits that may be provided or negotiated. For the purposes of  
5 this paragraph, "terminal leave payment" means a single, lump sum  
6 payment, paid at termination, calculated using the regular base  
7 salary at the time of termination. Unless otherwise negotiated or  
8 provided by the employer, a terminal leave benefit shall not include  
9 extended payment, or payment for retroactive salary increases,  
10 bonuses, overtime, longevity, sick leave, accrued vacation or other  
11 time benefit, or any other benefit.

12 (3) the Civil Service Commission shall place any employee that  
13 has permanent status pursuant to Title 11A, Civil Service, of the  
14 New Jersey Statutes that is terminated for reasons of economy or  
15 efficiency at any time by either local unit on a special  
16 reemployment list for any civil service employer within the county  
17 of the agreement or any political subdivision therein.

18 (4) when a proposed shared service agreement affects  
19 employees in local units subject to Title 11A, Civil Service, of the  
20 New Jersey Statutes, an employment reconciliation plan shall be  
21 filed with the Civil Service Commission prior to the approval of the  
22 shared service agreement. The commission shall review it for  
23 consistency with this section within 45 days of receipt and it shall  
24 be deemed approved, subject to approval of the shared service  
25 agreement by the end of that time, unless the commission has  
26 responded with a denial or conditions that must be met in order for  
27 it to be approved.

28 (5) when an action is required of the Civil Service Commission  
29 by this section, parties to a planned shared service agreement may  
30 consult with that commission in advance of the action and the  
31 commission shall provide such technical support as may be  
32 necessary to assist in the preparation of an employment  
33 reconciliation plan or any other action required of the commission  
34 by this section.

35 b. If all the local units that are parties to the agreement are  
36 subject to the provisions of Title 11A, Civil Service, of the New  
37 Jersey Statutes, the Civil Service Commission shall create an  
38 implementation plan for the agreement that will: (1) transfer  
39 employees with current status in current title unless reclassified, or  
40 (2) reclassify employees into job titles that best reflect the work to  
41 be performed. The Civil Service Commission shall review whether  
42 any existing hiring or promotional lists should be merged,  
43 inactivated, or re-announced. Non-transferred employees shall be  
44 removed or suspended only for good cause and after the opportunity  
45 for a hearing before the Civil Service Commission; provided,  
46 however, that they may be laid-off in accordance with the  
47 provisions of N.J.S.11A:8-1 et seq., and the regulations  
48 promulgated thereunder. The final decision of which employees

1 shall transfer to the new employer is vested solely with the local  
2 unit that will provide the service and subject to the provisions of  
3 any existing collective bargaining agreements within the local units.

4 c. If the local unit that will provide the service pursuant to a  
5 shared service agreement is subject to Title 11A, Civil Service, of  
6 the New Jersey Statutes, but the local unit to receive the service is  
7 not subject to that Title, and the contracting local units desire that  
8 some or all employees of the recipient local unit are to be  
9 transferred to the providing local unit, the Civil Service  
10 Commission shall vest only those employees who have been  
11 employed for one year or more in permanent status pursuant to  
12 N.J.S.11A:9-9 in appropriate titles, seniority, and tenure with the  
13 providing local unit based on the duties of the position. The final  
14 decision of which employees shall transfer to the new employer is  
15 vested solely with the local unit that will provide the service and  
16 subject to the provisions of any existing collective bargaining  
17 agreements within the local units.

18 d. If the local unit that will provide the service is not subject to  
19 the provisions of Title 11A, Civil Service, of the New Jersey  
20 Statutes, but the local unit that will receive the service is subject to  
21 that Title and the parties desire that some or all employees of the  
22 recipient local unit are to be transferred to the providing local unit,  
23 the transferred employees shall be granted tenure in office and shall  
24 only be removed or suspended for good cause and after a hearing;  
25 provided, however, that they may be laid-off in accordance with the  
26 provisions of N.J.S.11A:8-1 et seq., and the regulations  
27 promulgated thereunder. The transferred employees shall be  
28 subject to layoff procedures prior to the transfer to the new entity.  
29 Once transferred, they will be subject to any employment contracts  
30 and provisions that exist for the new entity. The final decision of  
31 which employees shall transfer to the new employer is vested solely  
32 with the local unit that will provide the service and subject to the  
33 provisions of any existing collective bargaining agreements within  
34 the local units.

35 (cf: P.L.2008, c.29, s.101)

36

37 6. Section 14 of P.L.2007, c.63 (40A:65-14) is amended to read  
38 as follows:

39 14. a. The governing bodies of any two or more local units may  
40 enter into a joint contract, for a period not to exceed 40 years, to  
41 provide for the formation of a joint meeting or regional service  
42 agency for the joint operation of any public services, public  
43 improvements, works, facilities, or undertakings which the local  
44 units are empowered to operate. The contract shall be entered into  
45 in accordance with the procedures set forth in subsection b. of  
46 section 16 of **【this act】** P.L.2007, c.63 (C.40A:65-16).

47 b. A joint contract may provide for joint services for any  
48 services which any contracting local unit, on whose behalf those

1 services are to be performed, is legally authorized to provide for  
2 itself. Those services include, but are not limited to, general  
3 government administration, health, police and fire protection, code  
4 enforcement, assessment and collection of taxes, financial  
5 administration, environmental protection, joint municipal courts,  
6 and youth, senior citizens and social welfare programs.

7 c. The joint contract shall set forth the public services, public  
8 improvements, works, facilities, or undertakings which the  
9 contracting local units desire to operate jointly, and shall provide in  
10 general terms the manner in which the public services, public  
11 improvements, works, facilities or undertakings shall be jointly  
12 operated, and the respective duties and responsibilities of the  
13 contracting local units.

14 d. No joint contract pursuant to this section shall authorize the  
15 operation of any property or service defined as a "public utility" by  
16 R.S.48:2-13, except as may otherwise be provided by law.

17 (cf: P.L.2007, c.63, s.14)

18

19 7. Section 15 of P.L.2007, c.63 (C.40A:65-15) is amended to  
20 read as follows:

21 15. a. A joint meeting or regional service agency is a public  
22 body corporate and politic constituting a political subdivision of the  
23 State for the exercise of public and essential governmental  
24 functions to provide for the public health and welfare, and qualifies  
25 as a "local unit," as defined in section 3 of the "Local Fiscal Affairs  
26 Law," N.J.S.40A:5-3.

27 b. A joint meeting or regional service agency has the following  
28 powers and authority, which may be exercised by its management  
29 committee to the extent provided for in the joint contract:

30 (1) to sue and be sued;

31 (2) to acquire and hold real and personal property by deed, gift,  
32 grant, lease, purchase, condemnation or otherwise;

33 (3) to enter into any and all contracts or agreements and to  
34 execute any and all instruments;

35 (4) to do and perform any and all acts or things necessary,  
36 convenient or desirable for the purposes of the joint meeting or  
37 regional service agency or to carry out any powers expressly given  
38 in sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through  
39 C.40A:65-35);

40 (5) to sell real and personal property owned by the joint meeting  
41 or regional service agency at public sale;

42 (6) to operate all services, lands, public improvements, works,  
43 facilities or undertakings for the purposes and objects of the joint  
44 meeting or regional service agency;

45 (7) to enter into a contract or contracts providing for or relating  
46 to the use of its services, lands, public improvements, works,  
47 facilities or undertakings, or any part thereof, by local units who are  
48 not members of the joint meeting or regional service agency, and

1 other persons, upon payment of charges therefor as fixed by the  
2 management committee;

3 (8) to receive whatever State or federal aid or grants that may be  
4 available for the purposes of the joint meeting or regional service  
5 agency and to make and perform any agreements and contracts that  
6 are necessary or convenient in connection with the application for,  
7 procurement, acceptance, or disposition of such State or federal aid  
8 or grants; and

9 (9) to acquire, maintain, use, and operate lands, public  
10 improvements, works, or facilities in any municipality in the State,  
11 except where the governing body of the municipality, by resolution  
12 adopted within 60 days after receipt of written notice of intention to  
13 so acquire, maintain, use, or operate, shall find that the same would  
14 adversely affect the governmental operations and functions and the  
15 exercise of the police powers of that municipality.

16 c. If the governing body of a municipality in which a joint  
17 meeting or regional service agency has applied for the location and  
18 erection of sewage treatment or solid waste disposal facilities  
19 refuses permission therefor, or fails to take final action upon the  
20 application within 60 days of its filing, the joint meeting or regional  
21 service agency may, at any time within 30 days following the date  
22 of such refusal or the date of expiration of the 60-day period, apply  
23 to the Department of Environmental Protection for relief. That  
24 department is authorized, after hearing the joint meeting or regional  
25 service agency and the interested municipality, to grant the  
26 application for the erection of the sewage treatment or disposal or  
27 solid waste treatment or disposal facilities, notwithstanding the  
28 refusal or failure to act of the municipal governing body, upon  
29 being satisfied that the topographical and other physical conditions  
30 existing in the local units comprising the joint meeting or regional  
31 service agency are such as to make the erection of such facilities  
32 within its boundaries impracticable as an improvement for the  
33 benefit of the whole applying joint meeting or regional service  
34 agency.

35 (cf: P.L.2007, c.63, s.15.)

36

37 8. Section 16 of P.L.2007, c.63 (40A:65-16) is amended to read  
38 as follows:

39 16. a. The joint contract shall provide for the operation of the  
40 public services, public improvements, works, facilities, or  
41 undertakings of the joint meeting or regional service agency, for the  
42 apportionment of the costs and expenses of operation required  
43 therefor among the contracting local units, for the addition of other  
44 local units as members of the joint meeting or regional service  
45 agency, for the terms and conditions of continued participation and  
46 discontinuance of participation in the joint meeting or regional  
47 service agency by the contracting local units, and for such other  
48 terms and conditions as may be necessary or convenient for the



1 purposes of the joint meeting or regional service agency. The  
2 apportionment of costs and expenses may be based upon assessed  
3 valuations, population, and such other factor or factors, or any  
4 combination thereof, as may be provided in the joint contract.

5 b. (1) Notwithstanding any law to the contrary concerning  
6 approval of contracts, the joint contract shall be subject to approval  
7 by resolution of the governing bodies of each of the local units prior  
8 to its execution by the official or officials who are authorized to  
9 execute a joint contract.

10 (2) The joint contract shall specify the name by which the joint  
11 meeting or regional service agency shall be known.

12 (3) The joint contract may be amended from time to time by  
13 agreement of the parties thereto, in the same manner as the original  
14 contract was authorized and approved.

15 (4) A copy of every resolution creating a joint meeting or  
16 regional service agency, and every amendment thereto, shall be  
17 forthwith filed with the director.

18 (cf: P.L.2007, c.63, s.16)

19

20 9. Section 18 of P.L.2007, c.63 (C.40A:65-18) is amended to  
21 read as follows:

22 18. a. When a joint meeting or regional service agency merges  
23 bargaining units that have current contracts negotiated in  
24 accordance with the provisions of the "New Jersey Employer-  
25 Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.), the  
26 terms and conditions of the existing contracts shall apply to the  
27 rights of the members of the respective bargaining units until a new  
28 contract is negotiated, reduced to writing, and signed by the parties  
29 as provided pursuant to law and regulation promulgated thereunder.

30 b. The Public Employment Relations Commission is  
31 specifically authorized to provide technical advice, pursuant to  
32 section 12 of P.L.1968, c.303 (C.34:13A-8.3), and mediation  
33 services to integrate separate labor agreements into single  
34 agreements for the joint contract. The commission may order  
35 binding arbitration, pursuant to P.L.1995, c.425 (C.34:13A-14a et  
36 al.), to integrate any labor agreement.

37 (cf: P.L.2007, c.63, s.18)

38

39 10. Section 19 of P.L.2007, c.63 (C.40A:65-19) is amended to  
40 read as follows:

41 19. a. When a local unit agrees to participate in a joint meeting  
42 or regional service agency that will provide a service that the local  
43 unit is currently providing itself through public employees, the  
44 agreement shall include an employment reconciliation plan in  
45 accordance with this section. An employment reconciliation plan  
46 shall be subject to the following provisions:

47 (1) a determination of those employees, if any, that shall be  
48 transferred to the joint meeting or regional service agency, retained

1 by the contracting local unit, or terminated from employment for  
2 reasons of economy or efficiency subject to the provisions of any  
3 collective bargaining agreements within the local units.

4 (2) any employee terminated for reasons of economy or  
5 efficiency by the contracting local unit providing the service or by  
6 the joint meeting or regional service agency shall be given a  
7 terminal leave payment of not less than a period of one month for  
8 each five-year period of past service as an employee with the local  
9 unit, or other enhanced benefits that may be provided or negotiated.  
10 Unless otherwise negotiated or provided by the employer, a  
11 terminal leave benefit shall not include extended payment, or  
12 payment for retroactive salary increases, bonuses, overtime,  
13 longevity, sick leave, accrued vacation or other time benefit, or any  
14 other benefit.

15 (3) the Civil Service Commission shall place any employee that  
16 has permanent status pursuant to Title 11A, Civil Service, of the  
17 New Jersey Statutes that is terminated for reasons of economy or  
18 efficiency at any time by either local unit on a special  
19 reemployment list for any civil service employer within the county  
20 of the agreement or any political subdivision therein.

21 (4) when a proposed joint contract affects employees in local  
22 units that operate under the provisions of Title 11A, Civil Service,  
23 of the New Jersey Statutes, an employment reconciliation plan shall  
24 be filed with the Civil Service Commission prior to the approval of  
25 the joint meeting or regional service agency agreement. That  
26 commission shall review the plan for consistency with this section  
27 within 45 days of receipt and it shall be deemed approved, subject  
28 to approval of the joint meeting or regional service agency  
29 agreement by the end of that time, unless that commission has  
30 responded with a denial or conditions that must be met in order for  
31 it to be approved.

32 (5) when an action is required of the Civil Service Commission  
33 by this section, parties to a proposed joint contract may consult with  
34 the commission in advance of the action and the commission shall  
35 provide such technical support as may be necessary to assist in the  
36 preparation of an employment reconciliation plan or any other  
37 action required of the commission by this section.

38 b. If both the local unit and joint meeting or regional service  
39 agency operate under the provisions of Title 11A, Civil Service, of  
40 the New Jersey Statutes, the Civil Service Commission shall create  
41 an implementation plan for employees to be hired by the joint  
42 meeting or regional service agency that will: (1) transfer employees  
43 with current status in current title unless reclassified or (2)  
44 reclassify employees, if necessary, into job titles that best reflect the  
45 work to be performed. The Civil Service Commission shall review  
46 whether any existing hiring or promotional lists should be merged,  
47 inactivated, or re-announced. Non-transferred employees shall be  
48 removed or suspended only for good cause and after the opportunity

1 for a hearing before the Civil Service Commission; provided,  
2 however, that they may be laid-off in accordance with the  
3 provisions of N.J.S.11A:8-1 et seq., and the regulations  
4 promulgated thereunder. The final decision of which employees  
5 shall transfer to the new employer is vested solely with the local  
6 unit that will provide the service and subject to the provisions of  
7 any existing collective bargaining agreements within the local units.

8 c. If the joint meeting or regional service agency operates  
9 under the provisions of Title 11A, Civil Service, of the New Jersey  
10 Statutes, and a local unit receiving the service is not subject to that  
11 Title, and the parties desire that some or all employees of the local  
12 unit be transferred to the joint meeting or regional service agency,  
13 the Civil Service Commission shall vest only those employees who  
14 have been employed one year or more in permanent status pursuant  
15 to N.J.S.40A:9-9 in appropriate titles, seniority, and tenure with the  
16 providing local unit based on the duties of the position. The final  
17 decision of which employees shall transfer to the new employer is  
18 vested solely with the joint meeting or regional service agency and  
19 subject to the agreements affecting the parties, provided that those  
20 agreements do not conflict with the provisions of any existing  
21 collective bargaining agreements within the local units.

22 d. (1) If the joint meeting or regional service agency does not  
23 operate under the provisions of Title 11A, Civil Service, of the New  
24 Jersey Statutes, and the local unit receiving the service is subject to  
25 that Title, and the parties desire that some or all employees of the  
26 recipient local unit are to be transferred to the joint meeting or  
27 regional service agency, then the transferred employees shall be  
28 granted tenure in office and shall be removed or suspended only for  
29 good cause and after a hearing. The transferred employees shall be  
30 subject to layoff procedures prior to the transfer to the new entity.  
31 Once transferred, they will be subject to any employment contracts  
32 and provisions that exist for the new entity. The final decision of  
33 which employees shall transfer to the joint meeting or regional  
34 service agency is vested solely with the joint meeting or regional  
35 service agency and subject to the provisions of any existing  
36 collective bargaining agreements within the local units.

37 (2) A joint meeting or regional service agency established after  
38 the effective date of sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1  
39 et al.) that affects both employees in local units subject to Title  
40 11A, Civil Service, of the New Jersey Statutes and employees in  
41 local units not subject to that Title, shall determine whether the  
42 employees of the joint meeting or regional service agency shall be  
43 subject to the Title. If the joint meeting or regional service agency  
44 determines that the employees shall not be subject to Title 11A,  
45 Civil Service, of the New Jersey Statutes, then the employees from  
46 the local units in which the Title is in effect shall have the same

1 rights as employees transferred pursuant to paragraph (1) of this  
2 subsection.

3 (cf: P.L.2008, c.29, s.102)

4

5 11. Section 20 of P.L.2007, c.63 (C.40A:65-20) is amended to  
6 read as follows:

7 20. a. The joint contract shall provide for the constitution and  
8 appointment of a management committee to consist of at least three  
9 members, of which one shall be appointed by the governing body of  
10 each of the local units executing the joint contract. The members  
11 shall be residents of the appointing local unit, except that a member  
12 who is the chief financial officer, business administrator, municipal  
13 administrator, or municipal manager of the local unit making the  
14 appointment need not be a resident of the appointing local unit.  
15 The appointees may or may not be members of the appointing  
16 governing body. Each member of the management committee shall  
17 hold office for the term of one year and until the member's  
18 successor has been appointed and qualified. In the event that there  
19 is an even number of local units that are parties to the joint contract,  
20 the management committee shall consist of one member appointed  
21 by each of the governing bodies and one member selected by the  
22 two other appointed members.

23 b. The management committee shall elect annually from among  
24 its members a chair to preside over its meetings. The management  
25 committee may appoint such other officers and employees,  
26 including counsel, who need not be members of the management  
27 committee or members of the governing bodies or employees or  
28 residents of the local units, as it may deem necessary. The  
29 employees appointed by the management committee shall hold  
30 office for such term not exceeding four years as may be provided by  
31 the joint contract. The management committee shall adopt rules  
32 and regulations to provide for the conduct of its meetings and the  
33 duties and powers of the chairman and such other officers and  
34 employees as may be appointed. All actions of the management  
35 committee shall be by vote of the majority of the entire membership  
36 of the committee, except for those matters for which the contract  
37 requires a greater number, and shall be binding on all local units  
38 who have executed the joint contract. The management committee  
39 shall exercise all of the powers of the joint meeting or regional  
40 service agency subject to the provisions of the joint contract.

41 The joint contract may provide for the delegation of the  
42 administration of any or all of the services, lands, public  
43 improvements, works, facilities or undertakings of the joint meeting  
44 or regional service agency to the governing body of any one of the  
45 several contracting local units, in which event such governing body  
46 shall have and exercise all of the powers and authority of the  
47 management committee with respect to such delegated functions.

48 (cf: P.L.2007, c.63, s.20)

1       12. Section 30 of P.L.2007, c.63 (C.40A:65-30) is amended to  
2 read as follows:

3       30. a. A local unit that plans to study the feasibility of a shared  
4 service agreement, joint **【meeting】** contract, or municipal  
5 consolidation may apply to the director for grants or loans to fund  
6 the study, including consultant costs, and to fund one-time start-up  
7 costs of a shared service agreement or joint **【meeting】** contract or  
8 municipal consolidation. The director, in consultation with the  
9 Commissioner of Education, shall establish a program to be known  
10 as the "Sharing Available Resources Efficiently" program, or  
11 "SHARE," to accomplish this purpose, and, in consultation with the  
12 commissioner, shall promulgate rules and regulations necessary to  
13 effectuate the purposes of the program.

14       b. The director, in consultation with the commissioner, shall  
15 provide guidelines and procedures for the submission of SHARE  
16 grant and loan applications.

17       c. Applications for shared service study funds:

18       (1) May require such local match of funds, as is determined by  
19 the director for the studies if the director finds that the local unit is  
20 financially capable of providing such matching funds.

21       (2) Shall not require a local match of funds for consolidation  
22 studies under sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.)  
23 or the "Municipal Consolidation Act," P.L.1977, c.435 (C.40:43-  
24 66.35 et al.).

25       (3) Grants for implementation of shared services may include  
26 financial assistance for terminal leave benefits, but not for early  
27 retirement incentives related to pension contributions.

28       d. Applications for one-time start-up costs shall provide that:

29       (1) Local units may apply for financial assistance for the one-  
30 time start-up costs necessary to implement shared services. Costs  
31 that may be financed through the issuance of debt or capital lease  
32 agreements shall be excluded from this program.

33       (2) The director may set limits on aid awards and negotiate the  
34 various provisions, costs, payment provisions, and amounts of  
35 grants or loans to ensure that the shared service is cost effective and  
36 in the public interest. Financial assistance for costs associated with  
37 terminal leave benefits shall be limited to the lesser of the officer or  
38 employee's regular base rate of compensation that is paid for the  
39 terminal leave benefit pursuant to an applicable employment  
40 contract, local practice, local ordinance, or State law.

41       e. The director may provide technical support programs to  
42 assist local units in applying for grants or aid for studying shared  
43 services.

44 (cf: P.L.2007, c.63, s.30)

45

46       13. Section 32 of P.L.2007, c.63 (C.40A:65-32) is amended to  
47 read as follows:

1       32. The governing body of a municipality may adopt, at any  
2 regular meeting, a resolution requesting the clerk of the county to  
3 print upon the official ballots to be used at the next ensuing regular  
4 or general election, as appropriate, a certain proposition to authorize  
5 the creation of a citizen's commission, consisting of members of the  
6 governing body, appropriate municipal officials such as the  
7 municipal purchasing agent, and at least an equal number of  
8 residents of the municipality, and to identify and implement shared  
9 service, joint meeting, regional service agency, or consolidation  
10 opportunities for the municipality. The proposition shall be  
11 formulated and expressed in the resolution in concise form and filed  
12 with the clerk of the county not later than 74 days previous to the  
13 election. If approved by a majority of those voting at the election,  
14 the proposition shall be binding and shall constitute the authority  
15 for the governing body to appoint members to the citizen's  
16 commission and provide resources as it deems necessary.

17 (cf: P.L.2007, c.63, s.32)

18

19       14. Section 34 of P.L.2007, c.63 (C.40A:65-34) is amended to  
20 read as follows:

21       34. a. Any shared service **【or】** agreement, joint **【meeting**  
22 **agreement】** contract, or municipal consolidation shall be deemed in  
23 furtherance of the public good and presumed valid, subject to a  
24 rebuttable presumption of good faith on the part of the governing  
25 bodies entering into the agreement.

26       b. With regard to any responsibilities assigned to the Public  
27 Employment Relations Commission pursuant to sections 1 to 37 of  
28 P.L.2007, c.63 (C.40A:65-1 et al.):

29       (1) The commission may promulgate rules or regulations to  
30 effectuate the purposes of sections 1 to 37 of P.L.2007, c.63  
31 (C.40A:65-1 et al.).

32       (2) The commission may establish a fee schedule to cover the  
33 costs of effectuating its services; provided, however, that the fees so  
34 assessed shall not exceed the commission's actual cost of  
35 effectuating those provisions.

36       (3) Within 14 days of receiving a decision, a party aggrieved by  
37 a decision of a mediator or arbitrator assigned by the commission  
38 may file notice of an appeal of an award to the commission. In  
39 deciding an appeal, the commission, pursuant to rule and regulation  
40 and upon petition, may afford the parties the opportunity to present  
41 oral arguments. The commission may affirm, modify, correct or  
42 vacate the award or may, at its discretion, remand the award to the  
43 same arbitrator or to another arbitrator, selected by lot, for  
44 reconsideration. An aggrieved party may appeal a decision of the  
45 commission to the Appellate Division of the Superior Court.

46 (cf: P.L.2007, c.63, s.34)

47

48       15. This act shall take effect immediately.

STATEMENT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

This bill amends the “Uniform Shared Services and Consolidation Act” (USSCA) and other statutory law to change the name of “joint meetings” to “regional service agencies” to better reflect the purpose and operation of these entities.

Under the provisions of the bill, a “regional service agency” would have the same definition and the same powers and authority as a “joint meeting.” The bill provides that on or after its effective date, any joint contract entered into by two or more local units would form a regional service agency, rather than a joint meeting. Any joint meetings created by joint contract prior to the enactment of the bill would continue and would be governed in the same manner by the USSCA as regional service agencies.

Current law provides that joint meetings are the joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract. A joint meeting is a public body corporate and politic constituting a political subdivision of the State for the exercise of public and essential governmental functions to provide for the public health and welfare. A joint meeting has the following powers and authority, which may be exercised by its management committee to the extent provided for in the joint contract:

- (1) to sue and be sued;
- (2) to acquire and hold real and personal property by deed, gift, grant, lease, purchase, condemnation or otherwise;
- (3) to enter into any and all contracts or agreements and to execute any and all instruments;
- (4) to do and perform any and all acts or things necessary, convenient or desirable for the purposes of the joint meeting or to carry out any powers expressly provided under the USCAA.
- (5) to sell real and personal property owned by the joint meeting at public sale;
- (6) to operate all services, lands, public improvements, works, facilities or undertakings for the purposes and objects of the joint meeting;
- (7) to enter into a contract or contracts providing for or relating to the use of its services, lands, public improvements, works, facilities or undertakings, or any part thereof, by local units who are not members of the joint meeting, and other persons, upon payment of charges therefor as fixed by the management committee;
- (8) to receive whatever State or federal aid or grants that may be available for the purposes of the joint meeting and to make and perform any agreements and contracts that are necessary or convenient in connection with the application for, procurement, acceptance, or disposition of such State or federal aid or grants; and
- (9) to acquire, maintain, use, and operate lands, public improvements, works, or facilities in any municipality in the State,

1    except where the governing body of the municipality, by resolution  
2    adopted within 60 days after receipt of written notice of intention to  
3    so acquire, maintain, use, or operate, finds that the same would  
4    adversely affect the governmental operations and functions and the  
5    exercise of the police powers of that municipality.

6        Under the bill, this definition and these powers and authority  
7    also would apply to regional service agencies. Additionally, the bill  
8    clarifies that joint meetings and regional service agencies are  
9    subject to the “Local Fiscal Affairs Law.”



# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 6116

# STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 6116.

This bill amends the “Uniform Shared Services and Consolidation Act” (USSCA) and other statutory law to change the name of “joint meetings” to “regional service agencies” to better reflect the purpose and operation of these entities.

Under the provisions of the bill, a “regional service agency” would have the same definition and the same powers and authority as a “joint meeting.” The bill provides that on or after its effective date, any joint contract entered into by two or more local units would form a regional service agency, rather than a joint meeting. Any joint meetings created by joint contract prior to the enactment of the bill would continue and would be governed in the same manner by the USSCA as regional service agencies.

Current law provides that joint meetings are the joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract. A joint meeting is a public body corporate and politic constituting a political subdivision of the State for the exercise of public and essential governmental functions to provide for the public health and welfare. A joint meeting has the following powers and authority, which may be exercised by its management committee to the extent provided for in the joint contract:

- (1) to sue and be sued;
- (2) to acquire and hold real and personal property by deed, gift, grant, lease, purchase, condemnation or otherwise;
- (3) to enter into any and all contracts or agreements and to execute any and all instruments;
- (4) to do and perform any and all acts or things necessary, convenient or desirable for the purposes of the joint meeting or to carry out any powers expressly provided under the USCAA.
- (5) to sell real and personal property owned by the joint meeting at public sale;
- (6) to operate all services, lands, public improvements, works, facilities or undertakings for the purposes and objects of the joint meeting;
- (7) to enter into a contract or contracts providing for or relating to the use of its services, lands, public improvements, works, facilities or

undertakings, or any part thereof, by local units who are not members of the joint meeting, and other persons, upon payment of charges therefor as fixed by the management committee;

(8) to receive whatever State or federal aid or grants that may be available for the purposes of the joint meeting and to make and perform any agreements and contracts that are necessary or convenient in connection with the application for, procurement, acceptance, or disposition of such State or federal aid or grants; and

(9) to acquire, maintain, use, and operate lands, public improvements, works, or facilities in any municipality in the State, except where the governing body of the municipality, by resolution adopted within 60 days after receipt of written notice of intention to so acquire, maintain, use, or operate, finds that the same would adversely affect the governmental operations and functions and the exercise of the police powers of that municipality.

Under the bill, this definition and these powers and authority also would apply to regional service agencies. Additionally, the bill clarifies that joint meetings and regional service agencies are subject to the "Local Fiscal Affairs Law."

As reported, this bill is identical to Senate Bill No. 3763, as also reported by the committee.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# Governor Murphy Takes Action on Legislation

01/21/2020

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

**S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space)** – Requires certain contractors to register under "The Public Works Contractor Registration Act"

**S-358/A-4587 (Rice/Sumter, Reynolds-Jackson)** – Establishes database with certain information about individuals elected to public office in this State

**S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy)** – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

**S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle)** – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

**S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso)** – Makes various changes to "Criminal Injuries Compensation Act of 1971"

**S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle)** – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

**S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty)** – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

**S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey)** – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

**S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson)** – Authorizes use of certain electric school buses

**S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano)** – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

**S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson)** – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

**S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer)** – Increases workers' compensation for loss of hand or foot

**S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin)** – Prohibits resale of non-prescription diabetes test devices by pharmacists

**S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight)** – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

**S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera)** – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

## State correctional facilities

**S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake)** – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

**S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak)** – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

**S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey)** – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

**SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano)** – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

**S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson)** – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

**S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn)** – Designates Seeing Eye® dog as State Dog

**S-3036/A-1697 (Lagana, Scutari/Dancer, Downey)** – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

**S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson)** – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

**S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake)** – Establishes youth apprenticeship pilot program in Department of Education

**S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter)** – Establishes five year Apprentice Assistance and Support Services Pilot Program

**S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker)** – Requires certain medical facilities to undertake end-of-life planning and training

**S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz)** – Requires emergency departments to take certain measures concerning palliative care for patients

**S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti)** – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

**S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land)** – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

**S-3227/A-5261 (Gopal/Tully, Pinkin, Swain)** – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

**S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle)** – Prohibits sale or distribution of flavored vapor products

[Copy of Statement](#)

**S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy)** – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

**S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle)** – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

**S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttle)** – Establishes Task Force on Maximizing Employment for People with Disabilities

**S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttle, Downey)** – Authorizes certain health care and social service resources to be made available during Code Blue alert

**S-3581/A-5963 (Singleton/Lopez, Quijano)** – Prohibits certain business financing contracts that contain judgment by confession provisions

**S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight)** – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

**S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths)** – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

**S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space)** – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

**S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling)** – Prohibits local governments from imposing fines on alarm companies in certain circumstances

**S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon)** – Adds member from Retired Judges Association of New Jersey to State Investment Council

**SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin)** – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

**S-3920 wGR/A-5552 (Pou/Wimberly, Sumter)** – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

**S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy)** – Concerns labor harmony agreements for hospitality projects

**SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon)** – Establishes Recycling Market Development Council

**S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttle)** – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

**S-4025/A-5695 (Pou/Wimberly, Sumter)** – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

**S-4162/A-6014 (Smith, Greenstein/Vainieri Huttle, Pinkin, Houghtaling)** – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

**S-4165/A-4364 (Rice/Giblin, Caputo, Tucker)** – Expands University Hospital board of directors membership from 11 to 13 members

**S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt)** – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

**S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley)** – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

**S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey)** – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

**S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese)** – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

**S-4275/A-6088 (Smith, Greenstein/Burzichelli)** – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

**S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land)** – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

**S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey)** – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

**S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy)** – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

**S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin)** – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

**S-4286/A-5890 (Vitale/Swain, Jones)** – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

**S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttie, Zwicker)** – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

**S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez)** – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

**S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli)** – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

**S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land)** – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

**S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain)** – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

**SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker)** – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

**SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter)** – Establishes the "New Jersey State Commission on Urban Violence"

**SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttie, Schepisi)** – Designates March 19th "Women in Public Office Day" in New Jersey

**SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce)** – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

**SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin)** – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE



- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

**A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz)** – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

**A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz)** – Requires DHS to study social isolation occurring in certain population groups

**A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado)** – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

**A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz)** – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

**A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz)** – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

**A-5432/S-3796 (Milam, Land/Andrzejczak)** – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

**A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado)** – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

**A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez)** – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

**A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo)** – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

**A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman)** – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

**A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado)** – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

#### [Copy of Statement](#)

**A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari)** – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

**A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney)** – Concerns responsibility of contractors for wage claims against subcontractors

**A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown)** – Allows certain persons to qualify for casino key employee license and casino employee registration

**A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg)** – Authorizes DOH to notify elected officials of financial distress of certain hospitals

**A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale)** – Expands hospital reporting requirements

**A-5970/S-4201 (Lopez, Speight, Chaparro/Codey)** – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

**A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado)** – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

**A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton)** – Makes changes to New Jersey Infrastructure Bank's enabling act

**A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton)** – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

**A-6119/S-4336 (Egan, Houghtaling/Madden)** – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

**AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein)** – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

**AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado)** – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

**AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden)** – Designates April of each year as "Financial Literacy Month" in New Jersey

**AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado)** – Designates February in each year as "Career and Technical Education Month" in New Jersey

**Governor Murphy declined to sign the following bills, meaning they expire without becoming law:**

**S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly)** – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

**S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer)** – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

**S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo)** – Concerns installation of electric vehicle charging stations in common interest communities

**S-2425/A-3851 (Singleton, Andrzejczak/Conaway)** – Revises law relating to common interest communities

**S-2429/A-4028 (Scutari, Pou/Bramnick, Downey)** – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

**S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy)** – Requires public schools to administer written screenings for depression for students in certain grades

**S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter)** – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

**S-2957/A-4712 (Stack/Mukherji, Chaparro)** – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

**S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce)** – Establishes the "Energy Infrastructure Public-Private Partnership Act"

**S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy)** – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

**S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo)** – Provides tuition fee waiver apprenticeship courses

**S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land)** – The "Electronic Construction Procurement Act"

**S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano)** – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

**S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttle, Chiaravalloti, McKnight)** – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

**S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce)** – Establishes certain requirements for stop loss insurance offered to small employers

**S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer)** – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

**S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones)** – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

**S-3888/A-5585 (Ruiz/Dancer, Pintor Marin)** – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

**S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter)** – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

**S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin)** – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

**S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones)** – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

**A-491/S-4340 (Jimenez/Sacco, Stack)** – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

**A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden)** – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

**A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho)** – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

**A-1526/S-1048 (Zwicker, Johnson/Vitale)** – Concerns payment of independent contractors

**A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho)** – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

**A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith)** – Requires paint producers to implement or participate in paint stewardship program

**A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak)** – Establishes "Electronic Permit Processing Review System"

**A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan)** – Establishes expedited construction inspection program

**A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan)** – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

**A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana)** – Requires reporting of opioid deaths

**A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado)** – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

[Copy of Statement](#)

**ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney)** – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

[Copy of Statement](#)