

SENATE, No. 2775

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED DECEMBER 13, 2001

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex)

SYNOPSIS

Adds two public members to NJ Sports and Exposition Authority; removes ex officio membership of Attorney General.

CURRENT VERSION OF TEXT

As introduced.



S2775 BENNETT, CODEY

2

1 AN ACT concerning the membership of the New Jersey Sports and
2 Exposition Authority and amending P.L.1971, c.137.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 4 of P.L.1971, c.137 (C.5:10-4) is amended to read as
8 follows:

9 4. a. There is hereby established in the Department of Community
10 Affairs a public body corporate and politic, with corporate succession,
11 to be known as the "New Jersey Sports and Exposition Authority."
12 The authority is hereby constituted as an instrumentality of the State
13 exercising public and essential governmental functions, and the
14 exercise by the authority of the powers conferred by the act shall be
15 deemed and held to be an essential governmental function of the State
16 and the application of the revenue derived from the projects to the
17 purposes provided in this act shall be deemed and held to be applied
18 in support of government.

19 b. The authority shall consist of the State Treasurer, [the
20 Attorney General,] the President of the New Jersey Sports and
21 Exposition Authority, and a member of the Hackensack Meadowlands
22 Development Commission, to be appointed by the Governor, who shall
23 be members ex officio, and [nine] 11 members appointed by the
24 Governor with the advice and consent of the Senate for terms of four
25 years, provided that the members of the authority (other than the ex
26 officio members) first appointed by the Governor shall serve for terms
27 of one year, two years, three years and four years, respectively. Each
28 member shall hold office for the term of his appointment and until his
29 successor shall have been appointed and qualified. A member shall be
30 eligible for reappointment. Any vacancy in the membership occurring
31 other than by expiration of term shall be filled in the same manner as
32 the original appointment but for the unexpired term only.

33 c. Each appointed member may be removed from office by the
34 Governor, for cause, after a public hearing, and may be suspended by
35 the Governor pending the completion of such hearing. Each member
36 before entering upon his duties shall take and subscribe an oath to
37 perform the duties of his office faithfully, impartially and justly to the
38 best of his ability. A record of such oaths shall be filed in the office of
39 the Secretary of State.

40 d. The chairman shall be appointed by the Governor from the
41 members of the authority other than ex officio members, and the
42 members of the authority shall elect one of their number as vice
43 chairman thereof. The authority shall elect a secretary and a treasurer,

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 who need not be members, and the same person may be elected to
2 serve both as secretary and treasurer. The powers of the authority shall
3 be vested in the members thereof in office from time to time and
4 ~~seven~~ eight members of the authority shall constitute a quorum at
5 any meeting thereof. Action may be taken and motions and resolutions
6 adopted by the authority at any meeting thereof by the affirmative vote
7 of at least ~~seven~~ eight members of the authority. No vacancy in the
8 membership of the authority shall impair the right of a quorum of the
9 members to exercise all the powers and perform all the duties of the
10 authority.

11 e. Each member and the treasurer of the authority shall execute
12 a bond to be conditioned upon the faithful performance of the duties
13 of such member or treasurer, as the case may be, in such form and
14 amount as may be prescribed by the Director of the Division of Budget
15 and Accounting in the Department of the Treasury. Such bonds shall
16 be filed in the office of the Secretary of State. At all times thereafter
17 the members and treasurer of the authority shall maintain such bonds
18 in full force and effect. All costs of such bonds shall be borne by the
19 authority.

20 f. The members of the authority shall serve without
21 compensation, but the authority shall reimburse its members for actual
22 expenses necessarily incurred in the discharge of their duties.
23 Notwithstanding the provisions of any other law, no officer or
24 employee of the State shall be deemed to have forfeited or shall forfeit
25 his office or employment or any benefits or emoluments thereof by
26 reason of his acceptance of the office of ex officio member of the
27 authority or his services therein.

28 g. Each ex officio member of the authority may designate an
29 officer or employee of his department or agency to represent him at
30 meetings of the authority, and each such designee may lawfully vote
31 and otherwise act on behalf of the member for whom he constitutes the
32 designee. Any such designation shall be in writing delivered to the
33 authority and shall continue in effect until revoked or amended by
34 writing delivered to the authority.

35 h. The authority may be dissolved by act of the Legislature on
36 condition that the authority has no debts or obligations outstanding or
37 that provision has been made for the payment or retirement of such
38 debts or obligations. Upon any such dissolution of the authority all
39 property, funds and assets thereof shall be vested in the State.

40 i. A true copy of the minutes of every meeting of the authority
41 shall be forthwith delivered by and under the certification of the
42 secretary thereof to the Governor. No action taken at such meeting
43 by the authority shall have force or effect until 15 days after such copy
44 of the minutes shall have been so delivered unless during such 15-day
45 period the Governor shall approve the same, in which case such action
46 shall become effective upon such approval. If, in said 15-day period,

1 the Governor returns such copy of the minutes with veto of any action
2 taken by the authority or any member thereof at such meeting, such
3 action shall be null and void and of no effect. The powers conferred
4 in this subsection i. upon the Governor shall be exercised with due
5 regard for the rights of the holders of bonds and notes of the authority
6 at any time outstanding, and nothing in, or done pursuant to, this
7 subsection i. shall in any way limit, restrict or alter the obligation or
8 powers of the authority or any representative or officer of the
9 authority to carry out and perform in every detail each and every
10 covenant, agreement or contract at any time made or entered into by
11 or on behalf of the authority with respect to its bonds or notes or for
12 the benefit, protection or security of the holders thereof.

13 (cf: P.L.1991, c.375, s.2)

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15 2. This act shall take effect immediately.

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STATEMENT

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20 This bill increases the overall membership of the New Jersey Sports
21 and Exposition Authority ("authority") from 13 to 14 members, with
22 a respective increase from seven to eight members as the minimum
23 number needed to constitute a quorum and adopt any motion or
24 resolution by affirmative vote. Specifically, the bill increases from nine
25 to 11 the number of public members of the authority appointed by the
26 Governor with the advice and consent of the Senate and removes the
27 ex officio membership of the Attorney General.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2775

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Senate State Government Committee reports favorably Senate, No. 2775.

This bill increases the membership of the New Jersey Sports and Exposition Authority from 13 to 14 members. It removes the Attorney General from membership on the authority and increases from 9 to 11 the number of public members who will be appointed by the Governor with the advice and consent of the Senate. As a result of the increase in membership, 8 members would now be needed to constitute a quorum.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2775

STATE OF NEW JERSEY

DATED: DECEMBER 20, 2001

The Assembly State Government Committee reports favorably Senate, No. 2775.

This bill increases the membership of the New Jersey Sports and Exposition Authority from 13 to 14 members. It removes the Attorney General from membership on the authority and increases from 9 to 11 the number of public members who will be appointed by the Governor with the advice and consent of the Senate. As a result of the increase in membership, eight members would now be needed to constitute a quorum.

P.L. 2001, CHAPTER 456, *approved January 14, 2002*

Senate, No. 2775

1 **AN ACT** concerning the membership of the New Jersey Sports and
2 Exposition Authority and amending P.L.1971, c.137.

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5 *of New Jersey:*

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7 1. Section 4 of P.L.1971, c.137 (C.5:10-4) is amended to read as
8 follows:

9 4. a. There is hereby established in the Department of Community
10 Affairs a public body corporate and politic, with corporate succession,
11 to be known as the "New Jersey Sports and Exposition Authority."
12 The authority is hereby constituted as an instrumentality of the State
13 exercising public and essential governmental functions, and the
14 exercise by the authority of the powers conferred by the act shall be
15 deemed and held to be an essential governmental function of the State
16 and the application of the revenue derived from the projects to the
17 purposes provided in this act shall be deemed and held to be applied
18 in support of government.

19 b. The authority shall consist of the State Treasurer, [the
20 Attorney General,] the President of the New Jersey Sports and
21 Exposition Authority, and a member of the Hackensack Meadowlands
22 Development Commission, to be appointed by the Governor, who shall
23 be members ex officio, and [nine] 11 members appointed by the
24 Governor with the advice and consent of the Senate for terms of four
25 years, provided that the members of the authority (other than the ex
26 officio members) first appointed by the Governor shall serve for terms
27 of one year, two years, three years and four years, respectively. Each
28 member shall hold office for the term of his appointment and until his
29 successor shall have been appointed and qualified. A member shall be
30 eligible for reappointment. Any vacancy in the membership occurring
31 other than by expiration of term shall be filled in the same manner as
32 the original appointment but for the unexpired term only.

33 c. Each appointed member may be removed from office by the
34 Governor, for cause, after a public hearing, and may be suspended by
35 the Governor pending the completion of such hearing. Each member
36 before entering upon his duties shall take and subscribe an oath to
37 perform the duties of his office faithfully, impartially and justly to the
38 best of his ability. A record of such oaths shall be filed in the office of
39 the Secretary of State.

40 d. The chairman shall be appointed by the Governor from the
41 members of the authority other than ex officio members, and the

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4 serve both as secretary and treasurer. The powers of the authority shall
5 be vested in the members thereof in office from time to time and
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7 any meeting thereof. Action may be taken and motions and resolutions
8 adopted by the authority at any meeting thereof by the affirmative vote
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10 membership of the authority shall impair the right of a quorum of the
11 members to exercise all the powers and perform all the duties of the
12 authority.

13 e. Each member and the treasurer of the authority shall execute
14 a bond to be conditioned upon the faithful performance of the duties
15 of such member or treasurer, as the case may be, in such form and
16 amount as may be prescribed by the Director of the Division of Budget
17 and Accounting in the Department of the Treasury. Such bonds shall
18 be filed in the office of the Secretary of State. At all times thereafter
19 the members and treasurer of the authority shall maintain such bonds
20 in full force and effect. All costs of such bonds shall be borne by the
21 authority.

22 f. The members of the authority shall serve without
23 compensation, but the authority shall reimburse its members for actual
24 expenses necessarily incurred in the discharge of their duties.
25 Notwithstanding the provisions of any other law, no officer or
26 employee of the State shall be deemed to have forfeited or shall forfeit
27 his office or employment or any benefits or emoluments thereof by
28 reason of his acceptance of the office of ex officio member of the
29 authority or his services therein.

30 g. Each ex officio member of the authority may designate an
31 officer or employee of his department or agency to represent him at
32 meetings of the authority, and each such designee may lawfully vote
33 and otherwise act on behalf of the member for whom he constitutes the
34 designee. Any such designation shall be in writing delivered to the
35 authority and shall continue in effect until revoked or amended by
36 writing delivered to the authority.

37 h. The authority may be dissolved by act of the Legislature on
38 condition that the authority has no debts or obligations outstanding or
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1 period the Governor shall approve the same, in which case such action
2 shall become effective upon such approval. If, in said 15-day period,
3 the Governor returns such copy of the minutes with veto of any action
4 taken by the authority or any member thereof at such meeting, such
5 action shall be null and void and of no effect. The powers conferred
6 in this subsection i. upon the Governor shall be exercised with due
7 regard for the rights of the holders of bonds and notes of the authority
8 at any time outstanding, and nothing in, or done pursuant to, this
9 subsection i. shall in any way limit, restrict or alter the obligation or
10 powers of the authority or any representative or officer of the
11 authority to carry out and perform in every detail each and every
12 covenant, agreement or contract at any time made or entered into by
13 or on behalf of the authority with respect to its bonds or notes or for
14 the benefit, protection or security of the holders thereof.

15 (cf: P.L.1991, c.375, s.2)

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17 2. This act shall take effect immediately.

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STATEMENT

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23 and Exposition Authority ("authority") from 13 to 14 members, with
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25 number needed to constitute a quorum and adopt any motion or
26 resolution by affirmative vote. Specifically, the bill increases from nine
27 to 11 the number of public members of the authority appointed by the
28 Governor with the advice and consent of the Senate and removes the
29 ex officio membership of the Attorney General.

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34 Adds two public members to NJ Sports and Exposition Authority;
35 removes ex officio membership of Attorney General.

CHAPTER 456

AN ACT concerning the membership of the New Jersey Sports and Exposition Authority and amending P.L.1971, c.137.

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

1. Section 4 of P.L.1971, c.137 (C.5:10-4) is amended to read as follows:

C.5:10-4 "New Jersey Sports and Exposition Authority"; membership.

4. a. There is hereby established in the Department of Community Affairs a public body corporate and politic, with corporate succession, to be known as the "New Jersey Sports and Exposition Authority." The authority is hereby constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the authority of the powers conferred by the act shall be deemed and held to be an essential governmental function of the State and the application of the revenue derived from the projects to the purposes provided in this act shall be deemed and held to be applied in support of government.

b. The authority shall consist of the State Treasurer, the President of the New Jersey Sports and Exposition Authority, and a member of the Hackensack Meadowlands Development Commission, to be appointed by the Governor, who shall be members *ex officio*, and 11 members appointed by the Governor with the advice and consent of the Senate for terms of four years, provided that the members of the authority (other than the *ex officio* members) first appointed by the Governor shall serve for terms of one year, two years, three years and four years, respectively. Each member shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. A member shall be eligible for reappointment. Any vacancy in the membership occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

c. Each appointed member may be removed from office by the Governor, for cause, after a public hearing, and may be suspended by the Governor pending the completion of such hearing. Each member before entering upon his duties shall take and subscribe an oath to perform the duties of his office faithfully, impartially and justly to the best of his ability. A record of such oaths shall be filed in the office of the Secretary of State.

d. The chairman shall be appointed by the Governor from the members of the authority other than *ex officio* members, and the members of the authority shall elect one of their number as vice chairman thereof. The authority shall elect a secretary and a treasurer, who need not be members, and the same person may be elected to serve both as secretary and treasurer. The powers of the authority shall be vested in the members thereof in office from time to time and eight members of the authority shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the authority at any meeting thereof by the affirmative vote of at least eight members of the authority. No vacancy in the membership of the authority shall impair the right of a quorum of the members to exercise all the powers and perform all the duties of the authority.

e. Each member and the treasurer of the authority shall execute a bond to be conditioned upon the faithful performance of the duties of such member or treasurer, as the case may be, in such form and amount as may be prescribed by the Director of the Division of Budget and Accounting in the Department of the Treasury. Such bonds shall be filed in the office of the Secretary of State. At all times thereafter the members and treasurer of the authority shall maintain such bonds in full force and effect. All costs of such bonds shall be borne by the authority.

f. The members of the authority shall serve without compensation, but the authority shall reimburse its members for actual expenses necessarily incurred in the discharge of their duties. Notwithstanding the provisions of any other law, no officer or employee of the State shall be deemed to have forfeited or shall forfeit his office or employment or any benefits or emoluments thereof by reason of his acceptance of the office of *ex officio* member of the authority or his services therein.

g. Each *ex officio* member of the authority may designate an officer or employee of his department or agency to represent him at meetings of the authority, and each such designee may lawfully vote and otherwise act on behalf of the member for whom he constitutes the designee. Any such designation shall be in writing delivered to the authority and shall continue in effect

until revoked or amended by writing delivered to the authority.

h. The authority may be dissolved by act of the Legislature on condition that the authority has no debts or obligations outstanding or that provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the authority all property, funds and assets thereof shall be vested in the State.

i. A true copy of the minutes of every meeting of the authority shall be forthwith delivered by and under the certification of the secretary thereof to the Governor. No action taken at such meeting by the authority shall have force or effect until 15 days after such copy of the minutes shall have been so delivered unless during such 15-day period the Governor shall approve the same, in which case such action shall become effective upon such approval. If, in said 15-day period, the Governor returns such copy of the minutes with veto of any action taken by the authority or any member thereof at such meeting, such action shall be null and void and of no effect. The powers conferred in this subsection i. upon the Governor shall be exercised with due regard for the rights of the holders of bonds and notes of the authority at any time outstanding, and nothing in, or done pursuant to, this subsection i. shall in any way limit, restrict or alter the obligation or powers of the authority or any representative or officer of the authority to carry out and perform in every detail each and every covenant, agreement or contract at any time made or entered into by or on behalf of the authority with respect to its bonds or notes or for the benefit, protection or security of the holders thereof.

2. This act shall take effect immediately.

Approved January 14, 2002.