

5:10-4 et al

6/12/86

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:10-4 et al

(Sports and Exposition Authority--  
increase membership--change title of  
Executive Director to President)

LAWS OF: 1985

CHAPTER: 500

BILL NO: S3479

Sponsor(s): Codey

Date Introduced: December 9, 1985

Committee: Assembly: -----

Senate: -----

Amended during passage:

No

Date of Passage:

Assembly:

January 13, 1986

Senate:

December 12, 1985

Date of Approval: January 21, 1986

Following statements are attached if available:

Sponsor statement:

Yes

(Below)

Committee statement:

Assembly

No

Senate

No

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

No

Hearings:

No

Sponsor's statement:

This bill changes the title of Executive Director of the New Jersey Sports and Exposition Authority to that of President, makes the president an ex-officio member of the Authority and adds another public member (for a total of seven public members).

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STATE OF NEW JERSEY  
LEGISLATIVE SERVICES DIVISION

SENATE, No. 3479

STATE OF NEW JERSEY

INTRODUCED DECEMBER 5, 1985

By Senator CODEY

(Without Reference)

AN ACT to amend and supplement the "New Jersey Sports and Exposition Authority Law," approved May 10, 1971 (P. L. 1971, c. 137).

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

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

3 4. a. There is hereby established in the Department of Com-  
4 munity Affairs a public body corporate and politic, with corporate  
5 succession, to be known as the "New Jersey Sports and Exposi-  
6 tion Authority." The authority is hereby constituted as an instru-  
7 mentality of the State exercising public and essential govern-  
8 mental functions, and the exercise by the authority of the powers  
9 conferred by the act shall be deemed and held to be an essential  
10 governmental function of the State and the application of the  
11 revenue derived from the project to the purposes provided in this  
12 act shall be deemed and held to be applied in support of govern-  
13 ment.

14 b. The authority shall consist of the State Treasurer, the Attor-  
15 ney General, *the President of the New Jersey Sports and Exposi-*  
16 *tion Authority*, and a member of the Hackensack Meadowlands  
17 Development Commission to be appointed by the Governor, who  
18 shall be members ex officio, and [six] *seven* members appointed by  
19 the Governor with the advice and consent of the Senate for terms  
20 of four years, provided that the members of the authority (other  
21 than the ex officio members) first appointed by the Governor shall

**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 printed in italics thus is new matter.**

22 serve for terms of one year, two years, three years and four years,  
23 respectively. Each member shall hold office for the term of his  
24 appointment and until his successor shall have been appointed  
25 and qualified. A member shall be eligible for reappointment. Any  
26 vacancy in the membership occurring other than by expiration of  
27 term shall be filled in the same manner as the original appointment  
28 but for the unexpired term only.

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

36 d. The chairman shall be appointed by the Governor from the  
37 members of the authority other than ex officio members, and the  
38 members of the authority shall elect one of their number as vice  
39 chairman thereof. The authority shall elect a secretary and a  
40 treasurer who need not be members, and the same person may be  
41 elected to serve both as secretary and treasurer. The powers of the  
42 authority shall be vested in the members thereof in office from time  
43 to time and ~~five~~ six members of the authority shall constitute  
44 a quorum at any meeting thereof. Action may be taken and motions  
45 and resolutions adopted by the authority at any meeting thereof  
46 by the affirmative vote of at least ~~five~~ six members of the au-  
47 thority. No vacancy in the membership of the authority shall im-  
48 pair the right of a quorum of the members to exercise all the powers  
48a and perform all the duties of the authority.

49 e. Each member and the treasurer of the authority shall execute  
50 a bond to be conditioned upon the faithful performance of the  
51 duties of such member or treasurer, as the case may be, in such  
52 form and amount as may be prescribed by the Comptroller of the  
53 Treasury. Such bonds shall be filed in the office of the Secretary  
54 of State. At all times thereafter the members and treasurer of the  
55 authority shall maintain such bonds in full force and effect. All  
56 costs of such bonds shall be borne by the authority.

57 f. The members of the authority shall serve without compensa-  
58 tion, but the authority shall reimburse its members for actual ex-  
59 penses necessarily incurred in the discharge of their duties. Not-  
60 withstanding the provisions of any other law, no officer or employee  
61 of the State shall be deemed to have forfeited or shall forfeit his  
62 office or employment or any benefits or emoluments thereof by  
63 reason of his acceptance of the office of ex officio member of the  
64 authority or his services therein.

65 g. Each ex officio member of the authority may designate an  
66 officer or employee of his department or agency to represent him at  
67 meetings of the authority, and each such designee may lawfully  
68 vote and otherwise act on behalf of the member for whom he  
69 constitutes the designee. Any such designation shall be in writing  
70 delivered to the authority and shall continue in effect until revoked  
71 or amended by writing delivered to the authority.

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

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

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

3 5. Except as otherwise limited by the act, the authority shall  
4 have power:

5 a. To sue and be sued;

6 b. To have an official seal and alter the same at pleasure;

7 c. To make and alter bylaws for its organization and internal  
8 management and for the conduct of its affairs and business;

9 d. To maintain an office at such place or places within the State  
10 as it may determine;

- 11 e. To acquire, hold, use and dispose of its income, revenues, funds  
12 and moneys;
- 13 f. To acquire, lease as lessee or lessor, rent, lease, hold, use and  
14 dispose of real or personal property for its purposes;
- 15 g. To borrow money and to issue its negotiable bonds or notes and  
16 to secure the same by a mortgage on its property or any part  
17 thereof, and to enter into any credit agreement, and otherwise to  
18 provide for and secure the payment of its bonds and notes and to  
19 provide for the rights of the holders thereof;
- 20 h. To make and enter into all contracts, leases, and agreements  
21 for the use or occupancy of its projects or any part thereof or  
22 which are necessary or incidental to the performance of its duties  
23 and the exercise of its powers under the act;
- 24 i. To make surveys, maps, plans for, and estimates of the cost  
25 of, its projects;
- 26 j. To establish, acquire, construct, lease the right to construct,  
27 rehabilitate, repair, improve, own, operate, and maintain its proj-  
28 ects, and let, award and enter into construction contracts, purchase  
29 orders and other contracts with respect thereto in such manner as  
30 the authority shall determine, subject only to the provisions of  
31 sections 1 through 3 of P. L. 1981, c. 447 (C. 5:10-21.1 through  
32 5:10-21.3);
- 33 k. To fix and revise from time to time and charge and collect  
34 rents, tolls, fees and charges for the use, occupancy or services of  
35 its projects or any part thereof or for admission thereto, and for  
36 the grant of concessions therein and for things furnished or ser-  
37 vices rendered by the authority;
- 38 l. To establish and enforce rules and regulations for the use or  
39 operation of its projects or the conduct of its activities, and pro-  
40 vide for the policing and the security of its projects.
- 41 m. To acquire in the name of the authority by purchase or other-  
42 wise, on such terms and conditions and in such manner as it may  
43 deem proper, or, except with respect to the State, by the exercise of  
44 the power of eminent domain, any land and other property, in-  
45 cluding land under water, meadowlands, and riparian rights, which  
46 it may determine is reasonably necessary for any of its projects  
47 or for the relocation or reconstruction of any highway by the au-  
48 thority and any and all rights, title and interest in such land and  
49 other property, including public lands, reservations, highways or  
50 parkways, owned by or in which the State or any county, city,  
51 borough, town, township, village, public corporation, or other po-  
52 litical subdivision of the State has any right, title or interest, or  
53 parts thereof or rights therein and any fee simple absolute or any

54 lesser interest in private property, and any fee simple absolute  
55 in, easements upon or the benefit of restrictions upon, abutting  
56 property to preserve and protect any project, except that the au-  
57 thority shall not have the right to exercise the power of eminent  
58 domain in connection with projects authorized under paragraphs  
59 (5), (6), and (7) of subsection a. of section 6 of P. L. 1971, c. 137  
60 (C. 5:10-6);

61 n. To provide through its employees, or by the grant of one or  
62 more concessions, or in part through its employees and in part by  
63 grant of one or more concessions, for the furnishing of services  
64 and things for the accomodation of persons admitted to or using  
65 its projects or any part thereof;

66 o. To hold and conduct horse race meetings for stake, purse or  
67 reward and to provide and operate a parimutuel system of wager-  
68 ing at such meetings but subject only to the provisions of section 7  
69 of the act.

70 p. To acquire, construct, operate, maintain, improve, and make  
71 capital contributions to others for, transportation and other facili-  
72 ties, services and accommodations for the public's use of its proj-  
73 ects and to lease or otherwise contract for the operation thereof;

74 q. Subject to any agreement with bondholders or noteholders, to  
75 invest moneys of the authority not required for immediate use, in  
76 cluding proceeds from the sale of any bonds or notes, in such obli-  
77 gations, securities and other investments as the authority shall  
78 deem prudent;

79 r. To contract for and to accept any gifts or grants or loans of  
80 funds or property or financial or other aid in any form from the  
81 United States of America or any agency or instrumentality thereof,  
82 or from the State or any agency, instrumentality or political sub-  
83 division thereof, or from any other source and to comply, subject to  
84 the provisions of the act, with the terms and conditions thereof;

85 s. Subject to any agreements with bondholders or noteholders, to  
86 purchase bonds or notes of the authority out of any funds or money  
87 of the authority available therefor, and to hold, cancel or resell such  
88 bonds or notes;

89 t. To appoint and employ [an executive director] a *president*,  
90 who shall be the chief executive officer, and such additional officers,  
91 who need not be members of the authority, and accountants, at-  
92 torney's, financial advisors or experts and all such other or dif-  
93 ferent officers, agents and employees as it may require and to  
94 determine their qualifications, terms of office, duties and compen-  
95 sation, all without regard to the provisions of Title 11, Civil Ser-  
96 vice, of the Revised Statutes, provided that, it is the express intent

97 of the Legislature that the authority within its sole discretion shall  
 98 utilize, to the fullest extent feasible, the services of the officers,  
 99 personnel and consultants of the Meadowlands Commission in con-  
 100 nection with its project in the meadowlands complex;

101 u. To do and perform any acts and things authorized by the act  
 102 under, through, or by means of its officers, agents or employees or  
 103 by contracts with any person, firm or corporation;

104 v. To procure insurance against any losses in connection with its  
 105 property, operations or assets in such amounts and from such in-  
 106 surers as it deems desirable;

107 w. To do any and all things, including, but not limited to, the  
 108 creation or formation of profit or not for profit corporations neces-  
 109 sary or convenient to carry out its purposes and exercise the powers  
 110 given and granted in the act; and

111 x. To determine the location, type and character of a project  
 112 or any part thereof and all other matters in connection with all  
 113 or any part of a project, notwithstanding any land use plan, zoning  
 114 regulation, building code or similar regulation heretofore or here-  
 115 after adopted by the State, any municipality, county, public body  
 116 politic and corporate, including but not limited to the Meadowlands  
 117 Commission, or any other political subdivision of the State, pro-  
 119 vided that the authority shall consult with the Meadowlands Com-  
 120 mission before making any determination as to the location, type  
 121 and character of any project under the jurisdiction of the Meadow-  
 122 lands Commission.

1 3. (New section) The additional member first appointed pur-  
 2 suant to this 1985 amendatory and supplementary act shall serve  
 3 for a term of two years.

1 4. This act shall take effect immediately.

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#### STATEMENT

This bill changes the title of Executive Director of the New Jersey Sports and Exposition Authority to that of President, makes the president an ex officio member of the authority, and adds another public member to the authority (for a total of seven public members).

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\*\$1.3 million for community grants for substitute care and domestic violence shelters.

\*\$720,000 for renovation and improvements for various types of shelters.

\*\$350,000 for community grants for group homes operated by the Commission for the Blind and Visually Impaired.

\*\$2.5 million for equipment and facilities for solid waste management at State institutions.

Kean signed S-3479, sponsored by Senator Richard Codey, D-Essex, to expand the membership of the New Jersey Sports and Exposition Authority by two members to a total of seven, change the title of Executive Director to President of the Authority, and makes the President an ex-officio member of the Authority.

Legislation to provide an exception from the municipal spending cap for cost of insurance coverage was signed by the Governor.

The bill, A-4090, was sponsored by Assemblyman George Otlowski, D-Middlesex, and is designed to help local governments cope with the steady and sharp increases in insurance coverage costs.

Other bills signed by Kean are:

S-2766, sponsored by Senator John Ewing, R-Somerset, to provide for grants to colleges in New Jersey to provide services for the learning disabled, the visually impaired, and the hearing impaired.

S-3473, sponsored by Senator Thomas Cowan, D-Hudson, to permit the Hackensack Meadowlands Food Distribution Center Commission to acquire, operate and maintain a food distribution center within the region of the Meadowlands District, rather than solely within the District.