

27:12B-4

LEGISLATIVE HISTORY CHECKLIST

NJSA 27:12B-4

Laws of 1975 Chapter 5

Bill No. S 852

Sponsor(s) Dugan

Date Introduced Feb. 15, 1974

Committee: Assembly Transportation & Communications; Conference

Senate Transportation & Communications

Amended during passage Yes  Amendments during passage denoted by asterisks

Date of passage: Assembly Dec. 19, 1974

Senate April 29, 1974

Date of approval Jan. 22, 1975

Following statements are attached if available:

Sponsor statement  No

Committee Statement: Assembly  No

Senate Yes

Fiscal Note  No

Veto message  No

Message on signing  No

Following were printed:

Reports  No

Hearings  No

DO NOT REMOVE FROM LIBRARY  
LEGISLATIVE HISTORY

SENATE, No. 852

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1974

By Senator DUGAN

Referred to Committee on Transportation and Communications

AN ACT to amend "The New Jersey Highway Authority Act,"  
approved April 14, 1952 (P. L. 1952, c. 16).

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

1 1. Section 4 of P. L. 1952, c. 16 (C. 27:12B-4) is amended to read  
2 as follows:

3 4. There is hereby established in the State Department of Trans-  
4 portation a body corporate and politic, with corporate succession,  
5 to be known as the "New Jersey Highway Authority." The au-  
6 thority is hereby constituted an instrumentality exercising public  
7 and essential governmental functions, and the exercise by the  
8 authority of the powers conferred by this act in the construction,  
9 operation and maintenance of projects shall be deemed and held to  
10 be an essential governmental function of the State.

11 The New Jersey Highway Authority shall consist of **[five]** *nine*  
12 members, each of whom shall be a resident of the State, who shall  
13 have been a qualified elector therein for a period of at least 1 year  
14 next preceding his appointment. Each member of the authority  
15 shall be appointed by the Governor, with the advice and consent  
16 of the Senate, for a term of 5 years and shall serve until his  
17 successor is appointed and has qualified**];** except that of the first  
18 appointments hereunder, one shall be for a term of 3 years and  
19 one for a term of 6 years, and they shall serve until their respective  
20 successors are appointed and have qualified. The term of each of  
21 the first appointees hereunder shall be designated by the Governor**].**  
22 *Of the four members first appointed pursuant to this amendatory*  
23 *act, one shall be for a term of 2 years, one for a term of 3 years,*  
24 *one for a term of 4 years and one for a term of 5 years.* Each mem-  
25 ber of the authority may be removed from office by the Governor,

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

26 for cause, after a public hearing. Each member of the authority  
27 before entering upon his duties shall take and subscribe an oath  
28 to perform the duties of his office faithfully, impartially and justly  
29 to the best of his ability. A record of such oaths shall be filed in the  
30 office of the Secretary of State.

31 Any vacancies in the membership of the authority occurring  
32 other than by expiration of term shall be filled in the same manner  
33 as the original appointment, but for the unexpired term only.

34 The Governor shall designate one of the members of the au-  
35 thority as chairman thereof and another member as vice-chairman  
36 thereof. The chairman and vice-chairman of the authority so  
37 designated shall serve as such at the pleasure of the Governor  
38 and until their respective successors have been designated. The  
39 authority shall elect a secretary and a treasurer who need not be  
40 members. At the option of the authority the same person may be  
41 elected to serve both as secretary and treasurer. ~~Three~~ *Five*  
42 members of the authority shall constitute a quorum and the vote of  
43 ~~three~~ *five* members shall be necessary for any action taken by the  
44 authority. No vacancy in the membership of the authority shall  
45 impair the right of a quorum to exercise all the rights and perform  
46 all the duties of the authority.

47 Before the issuance of any bonds or notes under the provisions  
48 of this act, each member of the authority shall execute a surety  
49 bond in the penal sum of \$25,000.00, and the treasurer shall execute  
50 a surety bond in the penal sum of \$50,000.00, each such surety bond  
51 to be conditioned upon the faithful performance of the duties of  
52 the office of such member or treasurer, as the case may be, to be  
53 executed by a surety company authorized to transact business in  
54 the State of New Jersey as surety and to be approved by the  
55 Attorney General and filed in the office of the Secretary of State.

56 No resolution or other action of the authority providing for the  
57 issuance of bonds, refunding bonds or other obligations or for the  
58 fixing, revising or adjusting of tolls for the use of any highway  
59 projects or parts or sections thereof shall be adopted or otherwise  
60 made effective by the authority without the prior approval in writ-  
61 ing of the Governor and at least one of the following: the State  
62 Treasurer and the Comptroller of the Treasury. The powers con-  
63 ferred in this section upon the Governor, the State Treasurer and  
64 the Comptroller of the Treasury shall be exercised with due regard  
65 for the rights of the holders of bonds of the authority at any time  
66 outstanding, and nothing in, or done pursuant to, this section shall  
67 in any way limit, restrict or alter the obligation or powers of the

68 authority or any representative or officer of the authority to carry  
69 out and perform in every detail each and every covenant, agreement  
70 or contract at any time made or entered into by or on behalf of the  
71 authority with respect to its bonds or for the benefit, protection or  
72 security of the holders thereof.

73 A true copy of the minutes of every meeting of the authority shall  
74 be forthwith delivered by and under the certification of the secre-  
75 tary thereof, to the Governor. No action taken at such meeting by  
76 the authority shall have force or effect until 10 days (Saturdays,  
77 Sundays and holidays excepted) after such copy of the minutes  
78 shall have been delivered or the approval thereof by the Governor  
79 prior thereto. If, in said 10-day period, the Governor returns such  
80 copy of the minutes with veto of any action, except action to nego-  
81 tiate or execute a collective negotiation agreement with a certified  
82 public employee organization representing employees of the au-  
83 thority, taken by the authority or any member thereof at such  
84 meeting, such action shall be null and of no effect.

85 The members of the authority shall not receive compensation  
86 for their services as members of the authority. Each member shall  
87 be reimbursed by the authority for his actual expenses necessarily  
88 incurred in the performance of his duties.

1 2. This act shall take effect 30 days after enactment.

ASSEMBLY AMENDMENTS TO  
SENATE, No. 852

---

STATE OF NEW JERSEY

---

ADOPTED OCTOBER 29, 1974

Amend page 1, section 1, line 11, omit "nine", insert "seven".

Amend page 1, section 1, line 22, omit "four", insert "two".

Amend page 1, section 1, lines 23 and 24, omit "2 years, one for a term of 3 years, one for a term of".

Amend page 2, section 1, line 41, omit "Five", insert "Four".

Amend page 2, section 1, line 43, omit "five", insert "four".

SENATE TRANSPORTATION AND  
COMMUNICATIONS COMMITTEE

STATEMENT TO  
SENATE, No. 852

---

STATE OF NEW JERSEY

---

DATED: APRIL 22, 1974

This bill increases the membership on the New Jersey Highway Authority from five to nine.