

R 27:23-3 et seq.

December 15, 1970

LEGISLATIVE HISTORY OF R.S. 27:23-3 et seq.
(Turnpike Authority increase 3 to 5 members)

(1970 amendment)

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For background see:

974.90 N.J. Legislature. Autonomous Authorities
R424 Study Commission.
1968d Public hearings ... held May 14-June 19,
and 1968.
1969a ... and March 3 & April 16, 1969.

974.90 -----
R424 Interim report.
1969

L. 1970, Chapter 15 - A513
Introduced February 2 by Wilson & Thomas.
Not amended during passage.
Bill had statement (cop. enc.)

Newspaper clipping (V.F.--N.J.--N.J. Turnpike Authority)

"Dimon weighs resignation as prelude to new post" STA 7-5-70 (cop. enc.)

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ASSEMBLY, No. 513

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 2, 1970

By Assemblymen WILSON and THOMAS

(Without Reference)

AN ACT to amend and supplement the "New Jersey Turnpike Authority Act of 1948," and repealing P. L. 1969, chapter 262.

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

1 1. Section 3 of P. L. 1948, chapter 454 (C. 27:23-3) is amended
2 to read as follows:

3 3. New Jersey Turnpike Authority. (A) There is hereby estab-
4 lished in the State Highway Department a body corporate and
5 politic, with corporate succession, to be known as the "New Jersey
6 Turnpike Authority." The authority is hereby constituted an in-
7 strumentality exercising public and essential governmental func-
8 tions, and the exercise by the authority of the powers conferred by
9 this act in the construction, operation and maintenance of turnpike
10 projects shall be deemed and held to be an essential governmental
11 function of the State.

12 (B) The New Jersey Turnpike Authority shall consist of **[3]**
13 *five* members, each of whom shall be a resident of the State who
14 shall have been a qualified elector therein for a period of at least
15 1 year next preceding his appointment. Each member of the au-
16 thority shall be appointed by the Governor, with the advice and
17 consent of the Senate, for a term of 5 years and shall serve until his
18 successor is appointed and has qualified; except that of the first
19 appointments hereunder, one shall be for a term of 2 years and one
20 for a term of 3 years, and they shall serve until their respective
21 successors are appointed and have qualified. The term of each of
22 the first appointees hereunder shall be designated by the Governor.
23 Each member of the authority may be removed from office by the
24 Governor, for cause, after a public hearing. Each member of the
25 authority before entering upon his duties shall take and subscribe
26 an oath to perform the duties of his office faithfully, impartially and

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

27 justly to the best of his ability. A record of such oaths shall be filed
28 in the office of the Secretary of State. Any vacancies in the member-
29 ship of the authority occurring other than by expiration of term
30 shall be filled in the same manner as the original appointment, but
31 for the unexpired term only.

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

45 (D) Each member of the authority shall execute a surety bond in
46 the penal sum of \$25,000.00 and the treasurer shall execute a surety
47 bond in the penal sum of \$50,000.00, each such surety bond to be
48 conditioned upon the faithful performance of the duties of the office
49 of such member or treasurer, as the case may be, to be executed by
50 a surety company authorized to transact business in the State of
51 New Jersey as surety and to be approved by the Attorney General
52 and filed in the office of the Secretary of State.

53 (E) The members of the authority shall not receive compensa-
54 tion for their services as members of the authority. Each member
55 shall be reimbursed by the authority for his actual expenses nec-
56 essarily incurred in the performance of his duties.

57 (F) No resolution or other action of the authority providing for
58 the issuance of bonds, refunding bonds or other obligations or for
59 the fixing, revising or adjusting of tolls for the use of any turnpike
60 project or parts or sections thereof shall be adopted or otherwise
61 made effective by the authority without the prior approval in writ-
62 ing of the Governor and at least one of the following: the State
63 Treasurer and the Comptroller of the Treasury. A true copy of
64 the minutes of every meeting of the authority shall be forthwith
65 delivered by and under the certification of the secretary thereof, to
66 the Governor. No action taken at such meeting by the authority
67 shall have force or effect until 10 days after such copy of the
68 minutes shall have been so delivered. If, in said 10 day period, the
69 Governor returns such copy of the minutes with veto of any action

70 taken by the authority or any member thereof at such meeting,
 71 such action shall be null and of no effect. The powers conferred in
 72 this paragraph (F) upon the Governor, the State Treasurer and the
 73 Comptroller of the Treasury shall be exercised with due regard for
 74 the rights of the holders of bonds of the authority at any time out-
 75 standing, and nothing in, or done pursuant to, this paragraph (F)
 76 shall in any way limit, restrict or alter the obligation or powers of
 77 the authority or any representative or officer of the authority to
 78 carry out and perform in every detail each and every covenant,
 79 agreement or contract at any time made or entered into by or on
 80 behalf of the authority with respect to its bonds or for the benefit,
 81 protection or security of the holders thereof.

1 2. Of the two additional members of the authority first to be
 2 appointed pursuant to this act, one shall be appointed for a term
 3 ending February 14, 1973 and one for a term ending February 14,
 4 1975, as designated by the Governor.

1 3. "An act concerning the New Jersey Turnpike Authority and
 2 Supplementing the 'New Jersey Turnpike Authority Act of 1948,'
 3 approved October 27, 1948 (P. L. 1948, c. 454)", approved Janu-
 4 ary 9, 1970 (P. L. 1969, c. 262), is repealed.

1 4. This act shall take effect immediately, except that sections 1
 2 and 2 shall remain inoperative until February 14, 1970. Antic-
 3 ipatory action may be taken in advance thereof, including the mak-
 4 ing of authorized appointments.

STATEMENT

The purpose of this bill is to increase the New Jersey Turnpike Authority from three to five members, as was authorized pursuant to P. L. 1969, chapter 262 and to conform the expiration of the terms of the two new members with the expiration of the terms of the existing members of the authority. The New Jersey Turnpike stretches diagonally for 118 miles from the northeast to the southwest corners of the State, traversing ten counties on its path. The authority's financial statement of December 31, 1967, indicates that it is approximately a $\frac{3}{4}$ billion dollar operation. The geographical area encompassed and affected by the turnpike, the size of the operation, and the importance of transportation to the economy of the State, make it incumbent upon the Legislature to provide for sufficient representation on this public corporation for interested and affected segments of the population and geographical areas. This bill provides for greater representation on the New Jersey Turnpike Authority, while maintaining its over-all membership at a level conducive to effective management.