

27:12B-4 et seq. December 16, 1970

LEGISLATIVE HISTORY OF R.S.27:12B-4 et seq.
(Highway Authority - 5 members - 5 year term)

Copy 2

1970 Amendment

1.1970 - Chapter 28 - A512.

February 2 - Introduced by Wolson, Thomas.

February 16 - Passed Senate, amended (copy enclosed).

March 23 - Senate amended. Passed Assembly.

Bill had statement (copy enclosed).

Newspaper clippings:

Vertical file - New Jersey - Garden State Parkway - 1970.

Highway bill moved - February 17, 1970 NEN

Cahill gets toll road

control bill - March 24, 1970 APP

(Copies enclosed)

RSL/EH
Enclosure

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ASSEMBLY, No. 512

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 2, 1970

By Assemblymen WILSON and THOMAS

(Without Reference)

AN ACT to amend and supplement "The New Jersey Highway Authority Act," and repealing P. L. 1969, chapter 263.

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, chapter 16 (C. 27:12B-4) is amended
2 to read as follows:

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

11 The New Jersey Highway Authority shall consist of **[three]**
12 *five* members, each of whom shall be a resident of the State, who
13 shall have been a qualified elector therein for a period of at least 1
14 year next preceding his appointment. Each member of the author-
15 ity shall be appointed by the Governor, with the advice and consent
16 of the Senate, for a term of **[9]** 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 Each member of the authority may be removed from office by the
23 Governor, for cause, after a public hearing. Each member of the
24 authority before entering upon his duties shall take and subscribe
25 an oath to perform the duties of his office faithfully, impartially

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 and justly to the best of his ability. A record of such oaths shall
27 be filed in the office of the Secretary of State.

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

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

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

53 The members of the authority shall not receive compensation
54 for their services as members of the authority. Each member shall
55 be reimbursed by the authority for his actual expenses necessarily
56 incurred in the performance of his duties.

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 June 26, 1974 and one for a term ending June 26, 1975, as
4 designated by the Governor.

1 3. "An act concerning the New Jersey Highway Authority and
2 supplementing 'The New Jersey Highway Authority Act,' ap-
3 proved April 14, 1952 (P. L. 1952, c. 16)," approved January 9, 1970
4 (P. L. 1969, c. 263), is repealed.

1 4. This act shall take effect immediately, except that sections 1
2 and 2 shall remain inoperative until June 26, 1970. Anticipatory
3 action may be taken in advance thereof, including the making of
4 authorized appointments.

STATEMENT

The purpose of this bill is to increase the New Jersey Highway Authority from three to five members, and to decrease the terms of the members from 9 to 5 years, as was authorized pursuant to P. L. 1969, chapter 263 and to conform 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 Highway Authority, whose primary function is the operation of the Garden State Parkway but, of late has also included additional projects like the construction of the Garden State Art Center, is approximately a $\frac{1}{2}$ billion dollar operation. The Garden State Parkway traverses 144 miles on its north-south route along the coast of New Jersey, and it is the main link between our fastgrowing shore areas and the heavily populated northeastern section of the State, and the country. The size and the importance of this public corporation require that the New Jersey Highway Authority have sufficient representation for the interested and affected segments of the population and geographical areas. The pressing needs of our State further require that the operation of the highway authority be continually attuned to these needs, and that its membership be subject to frequent legislative and executive scrutiny to this effect. This bill provides for greater representation by increasing the membership on the authority, and for frequent scrutiny by the legislative and executive branches by decreasing the terms of authority members to 5 years, with one term ending every year.

SENATE AMENDMENT TO
ASSEMBLY, No. 512

STATE OF NEW JERSEY

ADOPTED FEBRUARY 16, 1970

Amend page 2, section 2, line 4, after "Governor.", insert "The incumbent members as of the effective date of this act shall continue to serve for the terms for which they were appointed.".

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16 of the Senate, for a term of **[9]** 5 years and shall serve until his
17 successor is appointed and has qualified; except that of the first
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23 Governor, for cause, after a public hearing. Each member of the
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25 an oath to perform the duties of his office faithfully, impartially
26 and justly to the best of his ability. A record of such oaths shall
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