

34:1B-4

LEGISLATIVE HISTORY CHECKLIST

WASA 34:1B-4 (Economic Development Authority--allow appointment of alternate members)
LAWS OF 1980 CHAPTER 50
Bill No. A404
Sponsor(s) Patero and Bornheimer
Date Introduced Pre-filed
Committee: Assembly Labor
Senate State Govt., Federal & Interstate Relations & Veterans Affairs
Amended during passage Yes No
Date of Passage: Assembly Feb. 4, 1980
Senate April 17, 1980
Date of approval June 26, 1980

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/> (Below)
Committee Statement: Assembly	<input checked="" type="checkbox"/>	No
Senate	<input checked="" type="checkbox"/>	No
Fiscal Note	<input checked="" type="checkbox"/>	No
Veto message	<input checked="" type="checkbox"/>	No
Message on signing	Yes	<input checked="" type="checkbox"/>

Following were printed.

Reports	<input checked="" type="checkbox"/>	No
Hearings	<input checked="" type="checkbox"/>	No

Sponsor's statement:

This bill would permit the Governor to appoint three alternate members of the Economic Development Authority. These members would serve in order of designation to replace public members absent from a meeting or portion of a meeting of the authority.

Appointment of alternate public members would insure full consideration of each EDA project by a full board.

2/1/73

ASSEMBLY, No. 404

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Assemblymen PATERO and BORNHEIMER

AN ACT to amend "The New Jersey Economic Development Authority Act," approved August 7, 1974 (P. L. 1974, c. 80).

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

1 1. Section 4 of P. L. 1974, c. 80 (C. 34:1B-4) is amended to read
2 as follows:

3 4. a. There is hereby established in, but not of, the Department
4 of Labor and Industry a public body corporate and politic, with
5 corporate succession, to be known as the "New Jersey Economic
6 Development Authority." The authority is hereby constituted as
7 an instrumentality of the State exercising public and essential
8 governmental functions, and the exercise by the authority of the
9 powers conferred by this act shall be deemed and held to be an
10 essential governmental function of the State.

11 b. The authority shall consist of the Commissionouer of Labor and
12 Industry, the Commissioner of Environmental Protection, the
13 Commissioner of Community Affairs, and the State Treasurer,
14 who shall be members ex officio, and three members appointed by
15 the Governor with the advice and consent of the Senate for terms
16 of 3 years, provided that the members of the authority (other than
17 the ex officio members) first appointed by the Governor shall serve
18 for terms of 1 year, 2 years, and 3 years respectively. Each mem-
19 ber shall hold office for the term of his appointment and until his
20 successor shall have been appointed and qualified. A member shall
21 be eligible for reappointment. Any vacancy in the membership
22 occurring other than by expiration of term shall be filled in the
23 same manner as the original appointment but for the unexpired
24 term only. In the event the authority shall by resolution determine
25 to accept the declaration of an urban growth zone by any munici-
26 pality, the mayor or other chief executive officer of such munici-
27 pality shall ex officio be a member of the authority for the purpose

28 of participating and voting on all matters pertaining to such urban
29 growth zone.

30 *The Governor shall appoint with the advice and consent of the*
31 *Senate, three alternate members of the authority for terms of 3*
32 *years. At the time of appointment, the Governor shall designate*
33 *a first alternate, second alternate and third alternate. In the event*
34 *that a member of the authority, other than an ex officio member,*
35 *is unable to attend all or any portion of a meeting of the authority,*
36 *or is for any reason unable to perform the duties and respon-*
37 *sibilities of a member of the authority for a temporary period, the*
38 *chairman may authorize an alternate member, in order of desig-*
39 *nation, to exercise all of the powers, duties and responsibilities*
40 *of such member, including, but not limited to, the right to vote on*
41 *matters before the authority.*

41A *Each alternate member shall hold office for the term of his*
42 *appointment and until his successor shall have been appointed and*
43 *qualified. An alternate member shall be eligible for reappointment.*
44 *Any vacancy in the alternate membership occurring other than by*
45 *expiration of term shall be filled in the same manner as the original*
46 *appointment but for the unexpired term only. Any reference to*
47 *a member of the authority in this act shall be deemed to include*
48 *alternate members unless the context indicates otherwise.*

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

56 d. The Commissioner of Labor and Industry shall be the chair-
57 man of the authority. The members of the authority shall elect
58 from their remaining number a vice chairman and a treasurer
59 thereof. The authority shall employ an executive director who
60 shall be its secretary and chief executive officer. The powers of
61 the authority shall be vested in the members thereof in office from
62 time to time and four members of the authority shall constitute a
63 quorum at any meeting thereof. Action may be taken and motions
64 and resolutions adopted by the authority at any meeting thereof
65 by the affirmative vote of at least four members of the authority.
66 No vacancy in the membership of the authority shall impair the
67 right of a quorum of the members to exercise all the powers and
68 perform all the duties of the authority.

69 e. Each member of the authority shall execute a bond to be con-
70 ditioned upon the faithful performance of the duties of such mem-
71 ber in such form and amount as may be prescribed by the Comp-
72 troller of the Treasury. Such bonds shall be filed in the office of
73 the Secretary of State. At all times thereafter the members and
74 treasurer of the authority shall maintain such bonds in full force
75 and effect. All costs of such bonds shall be borne by the authority.

76 f. The members of the authority shall serve without compensa-
77 tion, but the authority shall reimburse its members for actual ex-
78 penses necessarily incurred in the discharge of their duties.
79 Notwithstanding the provisions of any other law, no officer or
80 employee of the State shall be deemed to have forfeited or shall
81 forfeit his office or employment or any benefits or emoluments
82 thereof by reason of his acceptance of the office of ex officio member
83 of the authority or his services therein.

84 g. Each ex officio member of the authority may designate an
85 officer or employee of his department to represent him at meetings
86 of the authority, and each such designee may lawfully vote and
87 otherwise act on behalf of the member for whom he constitutes
88 the designee. Any such designation shall be in writing delivered
89 to the authority and shall continue in effect until revoked or
90 amended by writing delivered to the authority.

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

97 i. A true copy of the minutes of every meeting of the authority
98 shall be forthwith delivered by and under the certification of the
99 secretary thereof to the Governor. No action taken at such meeting
100 by the authority shall have force or effect until 10 days, Saturdays,
101 Sundays, and public holidays excepted, after such copy of the
102 minutes shall have been so delivered unless during such 10-day
103 period the Governor shall approve the same in which case such
104 action shall become effective upon such approval. If, in said 10-
105 day period, the Governor returns such copy of the minutes with
106 veto of any action taken by the authority or any member thereof
107 at such meeting, such action shall be null and void and of no effect.
108 The powers conferred in this paragraph (i) upon the Governor
109 shall be exercised with due regard for the rights of the holders of
110 bonds and notes of the authority at any time outstanding, and
111 nothing in, or done pursuant to, this paragraph (i) shall in any

112 way limit, restrict or alter the obligation or powers of the authority
113 or any representative or officer of the authority to carry out and
114 perform in every detail each and every covenant, agreement or
115 contract at any time made or entered into by or on behalf of the
116 authority with respect to its bonds or notes or for the benefit, pro-
117 tection or security of the holders thereof.

118 j. On or before March 31 in each year, the authority shall make
119 an annual report of its activities for the preceding calendar year
120 to the Governor and the Legislature. Each such report shall set
121 forth a complete operating and financial statement covering the
122 authority's operations during the year. The authority shall cause
123 an audit of its books and accounts to be made at least once in each
124 year by certified public accountants and cause a copy thereof to be
125 filed with the Secretary of State and the Comptroller of the Trea-
126 sury.

127 k. The Comptroller of the Treasury and his legally authorized
128 representatives are hereby authorized and empowered from time
129 to time to examine the accounts, books and records of the authority,
130 including its receipts, disbursements, contracts, sinking funds,
131 investments and any other matters relating thereto and to its
132 financial standing.

133 l. No member, officer, employee or agent of the authority shall
134 be interested, either directly or indirectly, in any project or in
135 any contract, sale, purchase, lease or transfer of real or personal
136 property to which the authority is a party.

1 2. This act shall take effect immediately.

STATEMENT

This bill would permit the Governor to appoint three alternate members of the Economic Development Authority. These members would serve in order of designation to replace public members absent from a meeting or portion of a meeting of the authority.

Appointment of alternate public members would insure full consideration of each EDA project by a full board.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JUNE 30, 1980

PATRICK SWEENEY

Governor Brendan Byrne today signed the following bills into law:

A-16, sponsored by Senator Albert Burstein (D-Bergen), which cleans up a technical estates and trusts problem. Technical in nature, the purpose of the bill is to assure that insurance proceeds or employee benefit plan distributions passing to a testamentary trust do so without being subject to the administration of the descendant's estate or to the rights of the descendant's creditors.

A-404, sponsored by Assemblyman Joseph D. Patero (D-Somerset), which permits the Governor to appoint three alternate members to the New Jersey Economic Development Authority. The purpose of the bill is to insure there is a full contingent of public members at each meeting of the Authority. The Governor will appoint the three alternate members, subject to the advice and consent of the Senate.

A-720, sponsored by Assemblyman William F. Dowd (R-Monmouth), which prohibits minors from acquiring, possessing or using firearms, except for military drills, competition at target practice, and hunting, under adult supervision.

A-846, sponsored by Assemblyman James R. Hurley (R-Cumberland), which requires the Superintendent of Weights and Measures to promulgate rules for the marketing of certain precious metals. The bill also changes the existing criminal penalties for violations to civil penalties.

A-1490, sponsored by Assemblyman James W. Bornheimer (D-Middlesex), which repeals the law requiring savings banks to file an annual report with the Commissioner of Banking listing owners of all unclaimed bank deposits which have been inactive for ten or more years.

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