

SENATE, No. 3959

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED DECEMBER 12, 2024

Sponsored by:

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Concerns New Jersey Redevelopment Authority; changes quorum requirements from 11 members to majority of voting members.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the operations of the New Jersey
2 Redevelopment Authority and amending P.L.1996, c.62.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 4 of P.L.1996, c.62 (C.55:19-23) is amended to read
8 as follows:

9 4. a. The New Jersey Urban Development Corporation
10 established pursuant to P.L.1985, c.227 (C.55:19-1 et seq.) is
11 reconstituted as the New Jersey Redevelopment Authority. For the
12 purpose of complying with the provisions of Article V, Section IV,
13 paragraph 1 of the Constitution of the State of New Jersey, this
14 authority is allocated to the Department of **【Commerce and**
15 **Economic Development】** Community Affairs; but, notwithstanding
16 that allocation, the authority shall be independent of any
17 supervision or control by the department or by any other board or
18 officer thereof. All references in any law, order, rule, regulation,
19 contract, loan, document or otherwise to the New Jersey Urban
20 Development Corporation in the Department of Commerce and
21 Economic Development shall mean the New Jersey Redevelopment
22 Authority in the Department of **【Commerce and Economic**
23 **Development】** Community Affairs.

24 b. The authority shall constitute a body corporate and politic
25 and an instrumentality exercising public and essential governmental
26 functions, and the exercise by the authority of the powers conferred
27 by P.L.1996, c.62 (C.55:19-20 et al.) shall be deemed and held to be
28 an essential governmental function of the State.

29 c. The authority shall consist of the State Treasurer, the
30 Attorney General, the Commissioner of Community Affairs, the
31 Commissioner of Education, the Commissioner of Environmental
32 Protection, the Commissioner of Health, the Commissioner of
33 Human Services, the Commissioner of Labor, the Commissioner of
34 Transportation, and the **【Commissioner of Commerce and**
35 **Economic Development】** Chief Executive Officer of the New
36 Jersey Economic Development Authority who shall be members
37 and who shall serve ex officio, and eleven public members of whom
38 seven shall be appointed by the Governor with the advice and
39 consent of the Senate, two shall be appointed by the Senate
40 President and two shall be appointed by the Speaker of the General
41 Assembly, for terms of three years, except as provided hereunder.
42 Of the seven members appointed by the Governor, one shall
43 represent the interests of the for-profit development industry; one
44 shall represent the interests of the nonprofit development
45 community, two shall be mayors of municipalities which are

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 underlined thus is new matter.

1 coextensive with ["special needs districts" as defined pursuant to
2 section 3 of P.L.1990, c.52 (C.18A:7D-3)] SDA districts as defined
3 pursuant to section 3 of P.L.2000, c.72 (C.18A:7G-3); two shall be
4 mayors of municipalities which are contiguous to municipalities
5 which are coterminous with [special needs] SDA districts; and one
6 shall represent the interest of the banking, insurance or real estate
7 financing industries. Each member shall hold office for the term of
8 [his] the member's appointment and until [his] the member's
9 successor shall have been appointed and qualified. A member shall
10 be eligible for reappointment. Each mayor shall serve for a term of
11 three years, but shall continue to serve only as long as the mayor
12 continues to hold mayoral office. The members appointed by each
13 of the presiding officers of both Houses of the Legislature shall not
14 represent the same political party. Any vacancy in the membership
15 occurring other than by expiration of term shall be filled in the same
16 manner as the original appointment but for the unexpired term only.
17 In appointing public members, the presiding officers shall have
18 regard to providing an adequate depth and diversity of knowledge
19 and experience in the financial, physical and social aspects of urban
20 development, and of other relevant expertise in urban matters.

21 d. Each ex officio member may designate an officer or
22 employee of [his] the member's department to represent [him] the
23 member at authority meetings. The designation shall be in writing,
24 delivered into the hands of the secretary of the authority, and shall
25 continue in effect until revoked or amended in the same manner.

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

34 f. The Commissioner of [Commerce and Economic
35 Development] Community Affairs may, at the commissioner's
36 discretion, serve as the chairperson of the authority or may appoint
37 one of the public members of the authority as chairperson. Any
38 such designation or appointment shall be made in writing and shall
39 be delivered to the authority and to the Governor and shall continue
40 in effect until revoked or amended by a writing delivered to the
41 authority and the Governor. The members of the authority shall
42 elect from their remaining number a vice chairperson and a
43 treasurer thereof. The authority shall employ an executive director
44 who shall be its secretary and chief executive officer. The powers
45 of the authority shall be vested in the members thereof in office
46 from time to time and [eleven] a majority of the voting members of
47 the authority shall constitute a quorum [at any meeting thereof.

1 Action may be taken, and motions and resolutions adopted, by the
2 authority at any meeting thereof by the affirmative vote of at least
3 eleven members of the authority~~】~~. No vacancy in the membership
4 of the authority shall impair the right of a quorum of the members
5 to exercise all of the powers and perform all of the duties of the
6 authority.

7 g. Each public member of the authority shall execute a bond to
8 be conditioned upon the faithful performance of the duties of such
9 member in such form and amount as may be prescribed by the State
10 Comptroller. Such bonds shall be filed in the office of the
11 Secretary of State. At all times thereafter the members and
12 treasurer of the authority shall maintain such bonds in full force and
13 effect. All costs of such bonds shall be borne by the authority.

14 h. The members of the authority shall serve without
15 compensation, but the authority shall reimburse its members for
16 actual expenses necessarily incurred in the discharge of their duties.
17 Notwithstanding the provisions of any other law, no officer or
18 employee of the State shall be deemed to have forfeited or shall
19 forfeit ~~【his or her】~~ the person's office or employment or any
20 benefits or emoluments thereof by reason of ~~【his or her】~~ the
21 person's acceptance of the office of ex officio member of the
22 authority or ~~【his or her】~~ the person's services therein.

23 i. The authority may be dissolved by act of the Legislature on
24 condition that the authority has no debts or obligations outstanding
25 or that provision has been made for the payment or retirement of
26 such debts or obligations. Upon any such dissolution of the
27 authority, all property, funds and assets thereof shall be vested in
28 the State.

29 j. A true copy of the minutes of every meeting of the authority
30 shall be forthwith delivered by and under the certification of the
31 secretary thereof to the Governor. No action taken at such meeting
32 by the authority shall have force or effect until 10 days, Saturdays,
33 Sundays, and public holidays excepted, after a copy of the minutes
34 shall have been so delivered unless during that 10-day period the
35 Governor shall approve the same in which case such action shall
36 become effective upon approval. If, within the 10-day period, the
37 Governor returns the copy of the minutes with a veto of any action
38 taken by the authority or any member thereof at the meeting, that
39 action shall be null and void and of no effect. The powers
40 conferred in this subsection upon the Governor shall be exercised
41 with due regard for the rights of the holders of bonds and notes of
42 the authority at any time outstanding, and nothing in or done
43 pursuant to this subsection shall in any way limit, restrict or alter
44 the obligation or powers of the authority or any representative or
45 officer of the authority to carry out and perform in every detail each
46 and every covenant, agreement or contract at any time made or
47 entered into by or on behalf of the authority with respect to its
48 bonds or notes or for the benefit, protection or security of the

1 holders thereof. The Governor may approve all or part of the action
2 taken at such meeting prior to the expiration of the 10-day period.

3 k. On or before March 31 of each year, the authority shall make
4 an annual report of its activities for the preceding calendar year to
5 the Governor and the Legislature. Each such report shall set forth a
6 complete operating and financial statement covering the authority's
7 operations during the year. The authority shall cause an audit of its
8 books and accounts to be made at least once in each year by
9 certified public accountants and cause a copy thereof to be filed
10 with the Secretary of State and the State Comptroller.

11 1. The State Comptroller and **his** the State Comptroller's
12 legally authorized representatives are hereby authorized and
13 empowered from time to time to examine the accounts, books and
14 records of the authority, including its receipts, disbursements,
15 contracts, sinking funds, investments, and any other matters relating
16 thereto and to its financial standing.

17 m. No member, officer, employee or agent of the authority shall
18 be interested, either directly or indirectly, in any project or in any
19 contract, sale, purchase, lease or transfer of real or personal
20 property to which the authority is a party.

21 (cf: P.L.1996, c.62, s.4)

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23 2. This act shall take effect immediately.

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STATEMENT

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28 Under current law, 11 members constitutes a quorum for any
29 action taken by the New Jersey Redevelopment Authority
30 (authority). This bill amends the law to provide that a majority of
31 the voting members of the authority constitutes a quorum.

32 The bill also amends the law to make technical corrections,
33 including: replacing the term "special needs districts" with "SDA
34 districts" to reflect the terminology used in section 3 of the
35 "Educational Facilities Construction and Financing Act," P.L.2000,
36 c.72 (C.18A:7G-3); and replacing the Department of Commerce and
37 Economic Affairs with the Department of Community Affairs.