

[First Reprint]

ASSEMBLY, No. 4196

STATE OF NEW JERSEY
216th LEGISLATURE

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Sponsored by:

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

SYNOPSIS

Clarifies and revises certain aspects of the “Hackensack Meadowlands Agency Consolidation Act.”

CURRENT VERSION OF TEXT

As reported by the Assembly Commerce and Economic Development Committee on March 16, 2015, with amendments.



(Sponsorship Updated As Of: 3/27/2015)

1 AN ACT concerning the Meadowlands Regional Commission and
2 amending P.L.2015, c.19.

3

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

6

7 1. Section 2 of P.L.2015, c.19 (C.5:10A-2) is amended to read
8 as follows:

9 2. The Legislature finds and declares that:

10 a. The New Jersey Meadowlands Commission is currently the
11 zoning and planning agency for a 30.4 square-mile area covering
12 parts of 14 municipalities in Bergen and Hudson Counties in New
13 Jersey. The New Jersey Meadowlands Commission, created in
14 1969, was charged with the development and redevelopment of the
15 Hackensack Meadowlands in an orderly and comprehensive
16 fashion, with special consideration to the ecological and
17 environment challenges facing the Hackensack Meadowlands.

18 b. During the past 45 years, the New Jersey Meadowlands
19 Commission has successfully provided for orderly comprehensive
20 development, solid waste management, and environmental
21 protection within the Hackensack Meadowlands, as well as guiding
22 the investment of tens of millions of dollars in development,
23 municipal services, and significant infrastructure projects, among
24 other things.

25 c. There are several vital components necessary for the
26 continuation and expansion of the comprehensive plan for the
27 economic development growth of the Hackensack Meadowlands.
28 Among them are infrastructure improvements, transportation,
29 tourism, the completion of the development of the sport complex
30 site, the delivery of municipal services, flood control, and the
31 continuance of the Intermunicipal Tax Sharing Program, which is
32 the fiscal underpinning of the district's master plan.

33 d. The New Jersey Sports and Exposition Authority has
34 promoted the holding of athletic contests, horse racing, and other
35 spectator sporting events, trade shows, and other expositions in the
36 State.

37 e. The 750 acres of the New Jersey Sports and Exposition
38 Authority complex in the Hackensack Meadowlands is a significant
39 economic stimulant to the development of the meadowlands. The
40 New Jersey Sports and Exposition Authority's ability to plan,
41 construct, and maintain its holdings in the sports complex has been
42 an extraordinary feat, making it a premier sporting facility.

43 f. It is also appropriate and necessary to recognize the
44 consistent impact of the Hackensack Meadowlands on tourist
45 related activities and development, including retail, sports, 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.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACE committee amendments adopted March 16, 2015.

1 entertainment venues constructed at New Jersey Sports and
2 Exposition Authority properties with support from private
3 investment.

4 g. The authority and powers of the New Jersey Sports and
5 Exposition Authority and the New Jersey Meadowlands
6 Commission should be reviewed and amended to reflect the issues
7 of the day so as to adequately address the evolving economic and
8 environmental issues in the Hackensack Meadowlands.

9 h. In order to more effectively address the modern needs of the
10 Hackensack Meadowlands, the Legislature finds that the two
11 agencies with the common interest of promoting the economic
12 growth of the meadowlands and northern New Jersey, the New
13 Jersey Sports and Exposition Authority and the New Jersey
14 Meadowlands Commission, should be consolidated to promote
15 efficiency of operation, cost effectiveness, and the elimination of
16 unnecessary government bureaucracy.

17 i. Nothing in P.L.2015, c.19 (C.5:10A-1 et al.) is intended to
18 revise, limit, or nullify the rights of the New Jersey Sports and
19 Exposition Authority under the provisions of P.L.1971, c.137
20 (C.5:10-1 et seq.) or other applicable laws. In the case of any
21 conflict between P.L.1971, c.137 (C.5:10-1 et seq.) and the
22 provisions of P.L.1968, c.404 (C.13:17-1 et seq.) or P.L.1971, c.137
23 (C.5:10-1 et seq.) and P.L.2015, c.19 (C.5:10A-1 et al.), the
24 provisions of P.L.1971, c.137 (C.5:10-1 et seq.) shall control.

25 j. Except as expressly provided in P.L.2015, c.19 (C.5:10A-1
26 et al.) nothing is intended to revise, limit, or nullify the rights of the
27 New Jersey Meadowlands Commission under P.L.1968, c.404
28 (C.13:17-1 et seq.). In the case of any conflict between P.L.1968,
29 c.404 (C.13:17-1 et seq.) and the provisions of P.L.2015, c.19
30 (C.5:10A-1 et al.) the provisions of P.L.2015, c.19 (C.5:10A-1 et
31 al.) shall control.

32 k. Notwithstanding anything in P.L.2015, c.19 (C.5:10A-1 et
33 al.) to the contrary, sections 8 through 16, 18, 23, 24, 25, **[30]** 29
34 through 48, and 74 of P.L.2015, c.19 (C.5:10A-1 et al.) shall not
35 apply to the sports complex or adversely affect the rights, benefits,
36 entitlements, contracts, agreements, liabilities, responsibilities, or
37 obligations upon existing developers or ground tenants within the
38 sports complex or any other project of the New Jersey Sports and
39 Exposition Authority, wherever located, as of the date of enactment
40 of P.L.2015, c.19 (C.5:10A-1 et al.), and with respect to the sports
41 complex, the rights and powers of the commission shall only be
42 those set forth in P.L.1971, c.137 (C.5:10-1 et seq.).

43 (cf: P.L.2015, c.19, s.2)

44

45 2. Section 3 of P.L.2015, c.19 (C.5:10A-3) is amended to read
46 as follows:

47 3. As used in sections 1 through 68 of P.L.2015, c.19
48 (C.5:10A-1 et seq.):

1 “Adjustment year” means the year in which the respective
2 obligations of the intermunicipal account and the constituent
3 municipalities of the district are due and payable.

4 “Apportionment rate” means a rate determined as follows:

5 (1) The total property taxes levied for local, school, and
6 veterans’ and senior citizens’ purposes by a constituent
7 municipality, as certified pursuant to R.S.54:4-52, in the
8 comparison year after the meadowlands adjustment payment made
9 in that comparison year has been subtracted or added, as the case
10 may be, divided by

11 (2) The aggregate true value of all taxable real property,
12 exclusive of Class II railroad property, located in the municipality,
13 both within and without the district, in the comparison year, as
14 determined by the Director of the Division of Taxation in the
15 Department of the Treasury on October 1 of the comparison year,
16 pursuant to section 2 of P.L.1954, c.86 (C.54:1-35.2), or as
17 modified by the tax court. If a tax appeal is resolved after
18 calculations are finalized for an adjustment year, the next year’s
19 calculations must show a retroactive correction for the applicable
20 preceding two years.

21 “Area in need” means an area whose redevelopment is necessary
22 to effectuate the public purposes described herein, as determined by
23 the commission. An area designated as “in need” may contain lands,
24 buildings, or improvements which, of themselves, are not
25 detrimental to the public health, safety, or welfare, but nevertheless
26 must be included in the area designated as “in need,” with or
27 without change in condition, for the effective redevelopment of the
28 area of which they are a part. An area designated by the
29 commission as a “redevelopment area” pursuant to the
30 “Redevelopment Area Bond Financing Law,” P.L.2001, c.310
31 (C.40A:12A-64 et seq.) shall also be deemed to constitute an area in
32 need for purposes of [this act] P.L.2015, c.19 (C:5:10A-1 et al.)¹
33 and shall also be deemed to constitute an “area in need of
34 redevelopment” for purposes of the “Local Redevelopment and
35 Housing Law,” P.L.1992. c.79 (C.40A:12A-1 et al.).

36 “Base year” [refers to the term as defined by section 59.1 of
37 P.L.1968, c.404 (C.13:17-61)] means 1970.

38 “Bonds” means any bonds, notes, interim certificates,
39 debentures, or other obligations, issued by the commission pursuant
40 to sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.).

41 “Commission” means the New Jersey Sports and Exposition
42 Authority, which may be referred to as the “Meadowlands Regional
43 Commission,” as established by P.L.1971, c.137 (C.5:10-1 et seq.),
44 P.L.1968, c.404 (C.13:17-1 et seq.), and section 6 of P.L.2015, c.19
45 (C.5:10A-6).

46 “Committee” means the Hackensack Meadowlands Municipal
47 Committee established pursuant to the “Hackensack Meadowlands
48 Redevelopment Act,” P.L.1968, c.404 (C.13:17-1 et seq.).

1 “Comparison year” means the second calendar year preceding
2 the adjustment year.

3 “Constituent municipalities” means the municipalities of
4 Carlstadt, East Rutherford, Little Ferry, Lyndhurst, Moonachie,
5 North Arlington, Ridgefield, Rutherford, South Hackensack, and
6 Teterboro in Bergen county; and Jersey City, Kearny, North
7 Bergen, and Secaucus in Hudson county.

8 “District” means the Hackensack Meadowlands District, the area
9 delineated within section 5 of P.L.2015, c.19 (C.5:10A-5).

10 “Hackensack meadowlands” means the Hackensack
11 Meadowlands District as established by section 5 of P.L.2015, c.19
12 (C.5:10A-5).

13 “Hotel” means a building or portion of it, which is regularly used
14 for the lodging of guests and is subject to taxation pursuant to the
15 “Hotel Occupancy Tax Act,” P.L.1981, c.77 (C.40:48E-1 et seq.).

16 “Improvement” means (1) the laying out, opening, construction,
17 widening, straightening, enlargement, extension, alteration,
18 changing of location, grading, paving, or otherwise improving, a
19 street, alley, or public highway; (2) curbing or guttering of a
20 sidewalk along a street, alley, or highway; (3) construction and
21 improvement of bridges and viaducts; (4) construction,
22 enlargement, or extension of a sewer or drain or of a sewerage or
23 drainage system including, but not limited to, such systems under
24 streets, alleys, or public highways, or works for the sanitary
25 disposal of sewerage or drainage; (5) the installation of service
26 connections to water and other utility works, including the laying,
27 construction, or placing of mains, conduits, or cables under or along
28 a street, alley, or highway; (6) the construction, enlargement, or
29 extension of water mains or water distribution works; (7) extension
30 of landfills or other facilities for the disposal of solid wastes; (8) the
31 installation of lighting standards, appliances, and appurtenances
32 required for the illumination of streets; (9) the widening, deepening,
33 or improvement of, the removal of obstructions in, and the
34 construction, enlargement, and extension of any waterway, or of
35 enclosing walls, or of a pipe or conduit along a water course; (10)
36 the development and improvement of parks, recreational facilities,
37 and flood control structures; (11) environmental enhancements and
38 remediation; and (12) the construction of buildings and other
39 structures.

40 “Intermunicipal account” means the device established and
41 administered by the commission to record all of the transactions
42 made for the purpose of calculating the meadowlands adjustment
43 payment for each constituent municipality, and to act as the
44 clearinghouse for the transfer of the meadowlands adjustment
45 payments among the constituent municipalities as required by
46 section 59 of P.L.2015, c.19 (C.5:10A-59).

47 “Master plan” means the comprehensive plan for the district
48 prepared and adopted by the commission.

1 “Meadowlands adjustment payment” means the amount that is
2 payable by each constituent municipality to the intermunicipal
3 account, or the amount that is payable by the intermunicipal account
4 to each municipality, as the commission shall determine the case to
5 be.

6 “Owner” means all persons having any title or interest in any
7 property, rights, easements, and interests authorized to be acquired,
8 assessed, or regulated by sections 1 through 68 of P.L.2015, c.19
9 (C.5:10A-1 et seq.).

10 “Person” means all individuals, partnerships, associations,
11 private or municipal corporations, and all political subdivisions of
12 the State.

13 “Project” means any application for development, plan, work, or
14 undertaking by the commission, constituent municipality, or
15 redeveloper, pursuant to the master plan or a redevelopment plan.

16 “Project area” means all or a portion of a redevelopment area.

17 “Redeveloper” means any person, firm, corporation, or public or
18 private agency that engages in development, redevelopment, or
19 improvement of an area or any part thereof under the provisions of
20 P.L.1971, c.137 (C.5:10-1 et seq.), P.L.1968, c.404 (C.13:17-1 et
21 seq.), and sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et
22 seq.), or in the construction of any project pursuant to the master
23 plan or redevelopment plan.

24 “Redevelopment” means **[a plan for]** planning, development,
25 and redevelopment; the rehabilitation of any improvements;
26 conservation or rehabilitation work; the construction and provision
27 for construction of projects; **[and]** or the grant or dedication of
28 spaces as may be appropriate or necessary in the interest of the
29 general welfare for such projects or other public purposes incidental
30 or appurtenant thereto, in accordance with the master plan or any
31 part thereof, or a redevelopment plan.

32 “Redevelopment plan” means a plan adopted by the commission,
33 applicable to an area in need, for a redevelopment project or
34 projects, which shall conform to the master plan and which, with
35 respect to the sports complex, shall include and incorporate its
36 master plans and which shall be deemed to grant the commission
37 control over the lands, projects and properties that are subject to the
38 redevelopment plan. A redevelopment plan adopted pursuant to
39 P.L.2015, c.19 (C.5:10A-1 et al.) shall also be deemed to constitute
40 a redevelopment plan for purposes of the “Local Redevelopment
41 and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et al.).

42 “Resident enrollment” means the number of full-time pupils who
43 are residents of the school district and who are enrolled in day
44 schools on the last day of September during the school year in
45 which calculation of aid is made and are attending the public
46 schools of the school district or a school district or State teachers’
47 college demonstration school in which the school district of
48 residence pays tuition; school district may count in its enrollment

1 any pupil regularly attending, on a full-time basis, a county
2 vocational school in the same county, for which the school district
3 pays tuition.

4 “Site plan” means a plan for an existing lot or plot or a
5 subdivided lot on which is shown topography, location of all
6 existing or proposed buildings, structures, drainage facilities, roads,
7 rights-of-way, easements, parking areas, together with any other
8 information, and at such a scale as may be required by a
9 commission site plan review and approval resolution.

10 “Solid waste” means **any refuse matter, trash, or** garbage ,
11 refuse, and other discarded materials resulting from industrial,
12 commercial, and agricultural operations, and from domestic and
13 community activities, and all other waste materials, including
14 liquids, except for source separated recyclable materials or source
15 separated food waste collected by livestock producers approved by
16 the State Department of Agriculture to collect, prepare, and feed
17 such wastes to livestock on their own farms.

18 “Solid waste and recycling facilities” means the plants,
19 structures, and other real and personal property acquired,
20 constructed, or operated, or to be acquired, constructed, or operated
21 by the commission, as hereinafter provided, including landfills or
22 other plants or facilities for the treatment of recycling materials and
23 disposal of solid waste.

24 “Sports complex” means the 750 acre sports and exposition site
25 located in the Borough of East Rutherford **and any other land**
26 **owned by the New Jersey Sports and Exposition Authority in**
27 **Hudson County or Bergen County** under the jurisdiction of the
28 New Jersey Sports and Exposition Authority as of the effective date
29 of P.L.2015, c.19 (C.5:10A-1 et al.) and such additional property
30 that is owned and controlled by the sports authority¹ as may be
31 designated by the commission from time to time as a part of the
32 sports complex. The sports complex shall be considered a
33 “qualified incentive area” for the purposes of P.L.2011, c.149
34 (C.34:1B-242 et seq.) and a “qualifying economic redevelopment
35 and growth grant incentive area” for the purposes of P.L.2009, c.90
36 (C.52:27D-489a et al.).

37 “Special assessment” means an assessment for benefits accruing
38 from the construction of improvements by or at the direction of the
39 commission.

40 “Subdivision” means the division of a lot, tract, or parcel of land
41 into two or more lots, sites, or other divisions of land for the
42 purpose, whether immediate or future, of sale or building
43 development except that the following divisions shall not be
44 considered subdivisions **within the meaning of P.L.2015, c.19**
45 **(C.5:10A-1 et al.)**; provided, however, that no new streets or roads
46 are involved; divisions of land for agricultural purposes where the
47 resulting parcels are three acres or larger in size, divisions of

1 property by testamentary or intestate provisions, or divisions of
2 property pursuant to court order.

3 (cf: P.L.2015, c.19, s.3)

4

5 3. Section 5 of P.L.2015, c.19 (C.5:10A-5) is amended to read
6 as follows:

7 5. a. Except as otherwise provided, the commission shall carry
8 out the purposes of sections 1 through 68 of P.L.2015, c.19
9 (C.5:10A-1 et seq.) within the following district:

10 Beginning at a point on Hendricks Causeway at its junction with
11 the tracks of the Erie-Lackawanna Railroad--Northern Railroad of
12 New Jersey Branch in Ridgefield;

13 Thence southerly along the tracks of the Erie-Lackawanna
14 Railroad--Northern Railroad of New Jersey Branch to its junction
15 with the Fairview-Ridgefield Municipal boundary;

16 Thence westerly along the Fairview-Ridgefield Municipal
17 boundary to its junction with the Fairview-North Bergen Municipal
18 boundary;

19 Thence easterly along the Fairview-North Bergen Municipal
20 boundary to its junction with the tracks of the Erie-Lackawanna
21 Railroad--Northern Railroad of New Jersey Branch;

22 Thence southerly along the tracks of the Erie-Lackawanna
23 Railroad--Northern Railroad of New Jersey Branch to its junction
24 with Tonnelle Avenue (U. S. Route 1 and 9) in Jersey City;

25 Thence southerly along Tonnelle Avenue (U.S. Route 1 and 9) to
26 its intersection with the Pulaski Skyway;

27 Thence westerly along a line formed by the Pulaski Skyway to a
28 point where the Port Authority Trans-Hudson tracks pass under the
29 Pulaski Skyway;

30 Thence westerly along the Port Authority Trans-Hudson tracks to
31 their intersection with the Harrison-Kearny Municipal Boundary;

32 Thence northwesterly along the Harrison-Kearny Municipal
33 Boundary, as its jogs and curves, to its intersection with the Erie-
34 Lackawanna Railroad, Harrison-Kingsland connecting branch of the
35 Morris and Essex Division;

36 Thence northerly along the tracks of the Erie-Lackawanna
37 Railroad, Harrison-Kingsland connecting branch of the Morris and
38 Essex Division to its junction with Orient Way in Lyndhurst;

39 Thence northerly along Orient Way to its junction with Valley
40 Brook Avenue-Smith Street;

41 Thence easterly along Smith Street to its junction with Madison
42 Street;

43 Thence northerly along Madison Street to its junction with
44 Evergreen Place;

45 Thence westerly along Evergreen Place to its junction with
46 Meadow Road;

47 Thence northerly along Meadow Road to its junction with
48 Rutherford Avenue;

1 Thence northerly along a straight line drawn between the
2 intersection of Rutherford Avenue and Meadow Road and the
3 junction of Union Avenue and Erie-Lackawanna-New Jersey and
4 New York Railroad;

5 Thence northerly along the tracks of the Erie-Lackawanna-New
6 Jersey and New York Railroad to its intersection with the Wood-
7 Ridge-Carlstadt municipal boundary;

8 Thence easterly along the Wood-Ridge-Carlstadt municipal
9 boundary to its intersection with Moonachie-Wood-Ridge
10 municipal boundary;

11 Thence northerly and westerly along the Moonachie-Wood-
12 Ridge municipal boundary to its intersection with the Hasbrouck
13 Heights-Moonachie municipal boundary;

14 Thence easterly and northerly along Hasbrouck Heights-
15 Moonachie municipal boundary to its intersection with the
16 Moonachie-Teterboro municipal boundary;

17 Thence westerly and northerly along the Hasbrouck Heights-
18 Teterboro municipal boundary to its intersection with U. S. Route
19 46;

20 Thence easterly along U. S. Route 46 to its intersection with the
21 Teterboro-Little Ferry municipal boundary;

22 Thence southerly along the Teterboro-Little Ferry municipal
23 boundary to its intersection with the Moonachie-Little Ferry
24 boundary;

25 Thence southerly along the Moonachie-Little Ferry municipal
26 boundary to its intersection with Red Neck Road;

27 Thence southerly along Red Neck Road to its junction with
28 Moonachie Avenue in Moonachie;

29 Thence easterly along Moonachie Avenue to its junction with
30 Moonachie Road;

31 Thence northerly along Moonachie Road to its junction with
32 Maple Street;

33 Thence easterly along Maple Street approximately 930 feet to its
34 intersection with the Transcontinental gas pipeline;

35 Thence northeasterly along a straight line drawn between the
36 intersection of Maple Street and the Transcontinental gas pipeline
37 and the intersection of Bertolotto Avenue and the Moonachie-Little
38 Ferry Municipal boundary (Losen Slofe Creek);

39 Thence easterly along Bertolotto Avenue to its junction with
40 Eckel Road;

41 Thence southerly along 5th Street to its junction with Mansfield
42 Avenue;

43 Thence easterly along Columbus Avenue to its junction with
44 Mehrhof Road;

45 Thence northerly along Mehrhof Road to its junction with
46 Washington Avenue;

47 Thence easterly and northerly along Washington Avenue to its
48 junction with Main Street;

1 Thence easterly along Main Street extended to the Little Ferry-
2 Ridgefield Park Municipal boundary; (The middle of the
3 Hackensack River);

4 Thence southerly along the Little Ferry-Ridgefield Park
5 Municipal boundary (in the middle of the Hackensack River) to its
6 intersection with the Ridgefield Park-Ridgefield Municipal
7 boundary;

8 Thence easterly along the Ridgefield Park-Ridgefield Municipal
9 boundary (in the middle of Overpeck Creek) to its intersection with
10 Bergen Turnpike;

11 Thence southerly along Bergen Turnpike to its junction with
12 Hendricks Causeway;

13 Thence southeasterly along Hendricks Causeway to its junction
14 with the tracks of the Lackawanna Railroad--Northern Branch, the
15 point of beginning.

16 b. The commission shall not carry out the purposes of
17 P.L.1968, c.404 (C.13:17-1 et seq.) or sections 1 through 68 of
18 P.L.2015, c.19 (C.5:10A-1 et seq.), take any action, or have any
19 jurisdiction within the following district:

20 Beginning at a point on Old New Jersey Route 3 (New Jersey
21 Route 153) (Paterson Plank Road) at its junction with County
22 Avenue in Secaucus;

23 Thence southerly along County Avenue to its junction with
24 Secaucus Road;

25 Thence westerly along Secaucus Road a distance of 1,321 feet,
26 more or less, to its junction with Private Road;

27 Thence northerly along a straight line drawn between the
28 intersection of Secaucus Road and the aforementioned Private Road
29 and the intersection of Pandolfi Avenue-Golden Avenue in
30 Secaucus;

31 Thence westerly along Pandolfi Avenue to its junction with 5th
32 Street;

33 Thence southerly along 5th Street to its junction with Mansfield
34 Avenue;

35 Thence westerly along Mansfield Avenue to its junction with
36 Walter Place;

37 Thence northerly along Walter Place to its junction with
38 Mansfield Avenue;

39 Thence westerly along Mansfield Avenue to its junction with 9th
40 Street;

41 Thence northerly along 9th Street to its junction with Grace
42 Street;

43 Thence easterly along Grace Street to its junction with Eighth
44 Street;

45 Thence northerly along Eighth Street to its junction with Old
46 New Jersey Route 3 (Route 153);

47 Thence easterly along Old New Jersey Route 3 (Route 153) to its
48 junction with Paterson Plank Road;

1 Thence easterly continuing along Old New Jersey Route 3
2 (Route 153) (Paterson Plank Road) to its junction with County
3 Avenue, the point of beginning.

4 c. The commission shall not carry out the purposes of
5 P.L.1968, c.404 (C.13:17-1 et seq.) or sections 1 through 68 of
6 P.L.2015, c.19 (C.5:10A-1 et seq.), take any action, or have any
7 jurisdiction within the following district:

8 Beginning at a point on Maple Avenue at its junction with 7th
9 Street in Secaucus;

10 Thence northerly and easterly along 7th Street to its junction
11 with Paterson Plank Road;

12 Thence northerly along Paterson Plank Road to its junction with
13 Farm Road;

14 Thence northerly along Farm Road to its junction with Meadow
15 Lane;

16 Thence easterly along Meadow Lane to its junction with
17 Stonewall Lane and Mill Ridge Road;

18 Thence easterly along Mill Ridge Road to its junction with
19 Koelle Boulevard;

20 Thence southerly along Koelle Boulevard to its junction with
21 Huber Street;

22 Thence westerly along Huber Street to its junction with Radio
23 Avenue;

24 Thence southerly on Radio Avenue to its junction with Pikeview
25 Terrace;

26 Thence westerly and northerly along Pikeview Terrace to its
27 intersection with Lausecker Lane;

28 Thence westerly along Lausecker Lane to its junction with
29 Paterson Plank Road;

30 Thence southerly along Paterson Plank Road to its junction with
31 Maple Street;

32 Thence westerly along Maple Street to its junction with 7th
33 Street, the point of beginning.

34 (cf: P.L.2015, c.19, s.5)

35

36 4. Section 4 of P.L.2015, c.19 (C.5:10A-4) is amended to read
37 as follows:

38 4. On and after the effective date of P.L.2015, c.19 (C.5:10A-1
39 et al.), any reference in any law, rule, regulation, order, contract, or
40 document to the Hackensack Meadowlands Development
41 Commission or the New Jersey Meadowlands Commission shall
42 mean and refer to the New Jersey Sports and Exposition Authority
43 as established by section 4 of P.L.1971, c.137 (C.5:10-4), as
44 modified by P.L.2015, c.19 (C.5:10A-1 et al.) **[.]**, also referred to
45 herein as the “commission.”

46 (cf; P.L.2015, c.19, s.4)

1 5. Section 6 of P.L.2015, c.19 (C.5:10A-6) is amended to read
2 as follows:

3 6. The New Jersey Meadowlands Commission, established
4 pursuant to section 5 of P.L.1968, c.404 (C.13:17-5) is dissolved.
5 All property, funds, and assets of the New Jersey Meadowlands
6 Commission are vested in and belong to the **【**commission as
7 defined by section 4 of P.L.2015, c.19 (C.5:10A-4)**】** New Jersey
8 Sports and Exposition Authority, which, in addition to the powers
9 and authority vested in it pursuant to P.L.1971, c.137 (C.5:10-1 et
10 seq.), shall carry out the purposes of P.L.1968, c.404 (C.13:17-1 et
11 seq.) and P.L.2015, c.19 (C.5:10A-1 et al.). All regulations,
12 adjudications, orders, permits, and other approvals issued by the
13 New Jersey Meadowlands Commission, and all contracts,
14 agreements, bonds, notes, and other obligations incurred by the
15 New Jersey Meadowlands Commission pursuant to P.L.1968, c.404
16 (C.13:17-1 et seq.) prior to the effective date of P.L.2015, c.19
17 (C.5:10A-1 et al.) shall remain in effect, and all applications
18 pending before the New Jersey Meadowlands Commission on the
19 effective date of P.L.2015, c.19 (C.5:10A-1 et al.) shall continue to
20 be pending before the New Jersey Sports and Exposition Authority.
21 (cf: P.L.2015, c.19, s.6)

22
23 ¹**【**6. Section 7 of P.L.2015, c.19 (C.) is amended to read as
24 follows:

25 7. In addition to any powers established pursuant to section 5
26 of P.L.1971, c.137 (C.5:10-5) and P.L.1968, c.404 (C.13:17-1 et
27 seq.), the commission, as defined by section 4 of P.L.2015, c.19
28 (C.), shall have the following powers:

29 a. To enter upon any building or property in order to conduct
30 investigations, examinations, and surveys necessary to carry out the
31 purposes of sections 1 through 68 of P.L.2015, c.19 (C.);

32 b. To prepare, adopt, and implement a master plan for the
33 physical development of all lands, **【**which shall take into
34 consideration any lease agreements entered into by the New Jersey
35 Sports and Exposition Authority as of the effective date of P.L. ,
36 c.19 (C.),**】** or a portion thereof, lying within the district, and to
37 adopt and enforce regulations, codes, and standards for the
38 effectuation of such plan;

39 c. To undertake any development or other project or
40 improvement as it finds necessary to redevelop and improve the
41 land within the district;

42 d. To recover by special assessments the cost of improvements
43 from the increase of property values attributable to such
44 improvements;

45 e. Generally to establish, charge, and collect rates, fees, and
46 other charges for the use of any facilities operated and maintained
47 by the commission, and to collect fees as otherwise established by
48 law, rule, or regulation;

- 1 f. To enter into any and all agreements or contracts, execute
2 any and all instruments, and do and perform any and all acts or
3 things necessary, convenient, or desirable for the commission to
4 carry out its responsibilities **【subject to the provisions of section 6**
5 **of P.L.1984, c.128 (C.13:17-6.1)】**;
- 6 g. To plan, establish, and implement programs promoting and
7 facilitating economic development opportunities in the district;
- 8 h. To review and regulate plans for any subdivision or
9 development within the district;
- 10 i. To cause to be prepared plans, specifications, designs, and
11 estimates of costs for the construction of projects and improvements
12 under the provisions of sections 1 through 68 of P.L.2015, c.19
13 (C.), and to modify such plans, specifications, designs, or
14 estimates;
- 15 j. To determine the existence of areas in need of
16 redevelopment or rehabilitation and to approve or undertake
17 redevelopment projects therein;
- 18 k. To provide solid waste disposal and recycling facilities for
19 the treatment of solid waste;
- 20 l. To assist and coordinate shared services among the
21 constituent municipalities of the district and to enter into, from time
22 to time, contracts with one or more municipalities, counties, or
23 other public agencies for the operation of public improvements,
24 works, facilities, services, or undertakings of such municipalities,
25 counties, or agencies, or of the commission;
- 26 m. To **【undertake all】** consult with the Department of
27 Environmental Protection with regards to taking the necessary steps
28 to develop plans **【and】** to undertake flood control projects and to
29 maintain and construct necessary flood control structures and
30 ditches subject to available funding;
- 31 n. To take any action necessary for the purpose of promoting
32 and marketing tourism, entertainment, sports, and all related
33 activities within the district or at any other location owned or
34 operated by the commission. The commission may create a not-for-
35 profit entity that will implement this function;
- 36 o. To preserve and protect the environment of the district and
37 to provide programs for environmental education that benefit
38 schools and the general public;
- 39 p. To create a transportation planning district and develop
40 strategies to improve regional comprehensive planning;
- 41 q. To conduct examinations and investigations, hear testimony,
42 and take proof, under oath at public and private hearings, of any
43 material matter, require attendance of witnesses and the production
44 of books and papers, and issue commissions for the examination of
45 witnesses who are out of State, unable to attend, or excused from
46 attendance;
- 47 r. To subordinate, waive, sell, assign, or release any right, title,
48 claim, lien, or demand, however acquired, including any equity or

1 right of redemption; to foreclose, sell, or assign any mortgage held
2 by it, or any interest in real or personal property; and to purchase at
3 any sale upon such terms and at such prices as it determines to be
4 reasonable and to take title to property, real, personal, or mixed, so
5 acquired, and to sell, exchange, assign, convey, lease, mortgage, or
6 otherwise dispose of any such property, subject to such conditions
7 and restrictions as it deems necessary to carry out the purposes of
8 sections 1 through 68 of P.L.2015, c.19 (C.); and

9 s. To collect, and disburse, the assessments authorized in
10 section 85 of P.L.2015, c.19 (C.), for the purposes set forth in
11 that section.

12 (cf: P.L.2015, c.19, s.7)】¹

13
14 ¹6. Section 7 of P.L.2015, c.19 (C.5:10A-7) is amended to read
15 as follows:

16 7. In addition to any powers established pursuant to section 5
17 of P.L.1971, c.137 (C.5:10-5), the commission, as defined by
18 section 4 of P.L.2015, c.19 (C.5:10A-4), shall have the following
19 powers:

20 a. To enter upon any building or property in order to conduct
21 investigations, examinations, and surveys necessary to carry out the
22 purposes of sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et
23 seq.);

24 b. To prepare, adopt, and implement a master plan for the
25 physical development of all lands, 【which shall take into
26 consideration any lease agreements entered into by the New Jersey
27 Sports and Exposition Authority as of the effective date of
28 P.L.2015, c.19 (C.5:10A-1 et al.),】 or a portion thereof, lying within
29 the district, and to adopt and enforce regulations, codes, and
30 standards for the effectuation of such plan;

31 c. To undertake any development or other project or
32 improvement as it finds necessary to redevelop and improve the
33 land within the district;

34 d. To recover by special assessments the cost of improvements
35 from the increase of property values attributable to such
36 improvements;

37 e. Generally to establish, charge, and collect rates, fees, and
38 other charges for the use of any facilities operated and maintained
39 by the commission, and to collect fees as otherwise established by
40 law, rule, or regulation;

41 f. To enter into any and all agreements or contracts, execute
42 any and all instruments, and do and perform any and all acts or
43 things necessary, convenient, or desirable for the commission to
44 carry out its responsibilities 【subject to the provisions of section 6
45 of P.L.1984, c.128 (C.13:17-6.1)】;

46 g. To plan, establish, and implement programs promoting and
47 facilitating economic development opportunities in the district;

- 1 h. To review and regulate plans for any subdivision or
2 development within the district;
- 3 i. To cause to be prepared plans, specifications, designs, and
4 estimates of costs for the construction of projects and improvements
5 under the provisions of sections 1 through 68 of P.L.2015, c.19
6 (C.5:10A-1 et seq.), and to modify such plans, specifications,
7 designs, or estimates;
- 8 j. To determine the existence of areas in need of
9 redevelopment or rehabilitation and to approve or undertake
10 redevelopment projects therein;
- 11 k. To provide solid waste disposal and recycling facilities for
12 the treatment of solid waste;
- 13 l. To assist and coordinate shared services among the
14 constituent municipalities of the district and to enter into, from time
15 to time, contracts with one or more municipalities, counties, or
16 other public agencies for the operation of public improvements,
17 works, facilities, services, or undertakings of such municipalities,
18 counties, or agencies, or of the commission;
- 19 m. To **[undertake all]** consult with the Department of
20 Environmental Protection as to the necessary steps to develop plans
21 and undertake flood control projects and to maintain and construct
22 necessary flood control structures and ditches;
- 23 n. To take any action necessary for the purpose of promoting
24 and marketing tourism, entertainment, sports, and all related
25 activities within the district or at any other location owned or
26 operated by the commission. The commission may create a not-for-
27 profit entity that will implement this function;
- 28 o. To preserve and protect the environment of the district and
29 to provide programs for environmental education that benefit
30 schools and the general public;
- 31 p. To create a transportation planning district and develop
32 strategies to improve regional comprehensive planning;
- 33 q. To receive and accept, from any federal or other public
34 agency or governmental entity, grants or loans for, or in aid of, the
35 planning or construction of any project or improvement, or the
36 acquisition of any property, and to receive and accept aid or
37 contributions from any other source, of either money, property,
38 labor, or other things of value, to be held, used, and applied only for
39 the purposes for which such grants, loans, and contributions may be
40 made, and to enter into co-operative agreements with the federal
41 government, or any other public or governmental agency, for the
42 performance of such acts as may be necessary and proper for the
43 reclamation of the Hackensack meadowlands and to comply with
44 established requirements for such participation;
- 45 r. To establish engineering standards and a building code
46 specifying the maximum weight, size, and density of all buildings
47 and structures to be placed on any land within its jurisdiction;

1 s. To conduct examinations and investigations, hear testimony,
2 and take proof, under oath at public and private hearings, of any
3 material matter, require attendance of witnesses and the production
4 of books and papers, and issue commissions for the examination of
5 witnesses who are out of State, unable to attend, or excused from
6 attendance;

7 t. To subordinate, waive, sell, assign, or release any right, title,
8 claim, lien, or demand, however acquired, including any equity or
9 right of redemption; to foreclose, sell, or assign any mortgage held
10 by it, or any interest in real or personal property; and to purchase at
11 any sale upon such terms and at such prices as it determines to be
12 reasonable and to take title to property, real, personal, or mixed, so
13 acquired, and to sell, exchange, assign, convey, lease, mortgage, or
14 otherwise dispose of any such property, subject to such conditions
15 and restrictions as it deems necessary to carry out the purposes of
16 sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.); and

17 u. To collect, and disburse, the assessments authorized in
18 section 85 of P.L.2015, c.19 (C.5:10A-85), for the purposes set
19 forth in that section.¹

20 (cf: P.L.2015, c.19, s.7)

21
22 7. Section 9 of P.L.2015, c.19 (C.5:10A-9) is amended to read
23 as follows:

24 9. a. The commission shall submit to the municipal committee
25 established pursuant to section 7 of P.L.1971, c.137 (C.13:17-7) for
26 review, prior to final action thereon, codes and standards
27 formulated by the commission, the district master plan and
28 amendments thereto, development and redevelopment plans, and
29 improvement plans. The commission may also submit to the
30 committee any other matter which the commission deems advisable.
31 The committee may also coordinate shared services and cooperative
32 agreements among the constituent municipalities and conduct
33 studies and provide reports to the commission regarding issues
34 which impact the constituent municipalities.

35 b. The committee shall review matters submitted to it by the
36 commission pursuant to this section and shall indicate its position,
37 in writing, to the commission. Failure of the committee to convey
38 to the commission its position within 30 days of the receipt of any
39 matter referred to the committee shall constitute approval of the
40 proposed action of the commission; provided, however, that the
41 committee shall have 120 days after receipt of a major revision of
42 the master plan to convey its position, in writing, to the
43 commission.

44 c. The commission shall not take action on any matter required
45 to be submitted to the committee, which matter has been formally
46 rejected by the committee, except by an affirmative vote of the
47 majority of **【authorized】** the members of the commission.

48 (cf: P.L.2015, c.19, s.9)

1 8. Section 10 of P.L.2015, c.19 (C.5:10A-10) is amended to
2 read as follows:

3 10. a. After a public hearing and pursuant to the procedures
4 hereinafter provided, the commission shall prepare, or cause to be
5 prepared, and adopt a master plan, or portion thereof, for the
6 physical development of all lands lying within the district. The
7 master plan may include proposals for various stages for the future
8 development of the district. The commission may amend the master
9 plan in accordance with the procedures established herein. The
10 master plan shall include a report presenting the objectives,
11 assumptions, standards, and principles, as set forth in the master
12 plan. The master plan shall be a composite of the one or more
13 written proposals recommending the physical development of the
14 lands within the district, in its entirety or a portion thereof, which
15 the commission shall prepare after meetings with the governing
16 bodies of the constituent municipalities and affected counties, and
17 any agencies and instrumentalities thereof.

18 b. In preparing the master plan or any portion thereof or
19 amendment thereto the commission shall consider the existing
20 patterns of the development in constituent municipalities, and any
21 master plan or other plan of development adopted by any
22 constituent municipality prior to the effective date of P.L.2015, c.19
23 (C.5:10A-1 et al.), or prior to the preparation of the master plan by
24 the commission.

25 c. In preparing the master plan or any portion thereof or
26 amendment thereto, the commission shall consult with any federal
27 or State agency having an interest in the district. At least 60 days
28 prior to taking any action relating to the district, any interested
29 agency shall file with the commission any proposed plans for the
30 commission's review and recommendation.

31 d. A master plan examination and revision shall be conducted
32 by the commission every 10 years, the first of which shall be
33 conducted 10 years from the date on which the first master plan was
34 adopted by the commission pursuant to this section. The master
35 plan in effect on the effective date of P.L.2015, c.19 (C.5:10A-1 et
36 al.) shall remain in effect until the commission's next examination
37 and revision, which shall be within five years of the effective date
38 of P.L.2015, c.19 (C.5:10A-1 et al.). The master ¹plan¹ plans¹ in
39 effect on the effective date of P.L.2015, c.19 (C.5:10A-1 et al.)
40 shall not apply to the sports complex, which shall be subject to the
41 master plan adopted by the New Jersey Sports and Exposition
42 Authority as of the effective date of P.L.2015, c.19 (C.5:10A-1 et
43 al.).

44 e. The master plan shall include provisions or criteria for the
45 location and use of buildings, structures, facilities, and land for
46 solid waste disposal and recycling, and may include provisions for:

47 (1) the use of land and buildings, residential, commercial,
48 industrial, park, and other like purposes;

- 1 (2) service-water supply, utilities, sewerage, and other like
- 2 matters;
- 3 (3) transportation, streets, parking, public transit lines and
- 4 stations, both above and below ground level, freight facilities,
- 5 airports, harbors, channels, docks, and wharves, and other like
- 6 matters;
- 7 (4) housing, including affordable housing, residential standards,
- 8 clearance, redevelopment, rehabilitation, conservation, and other
- 9 like matters;
- 10 (5) water, soil conservation, flood control, and other like
- 11 matters;
- 12 (6) public and semipublic facilities including but not limited to
- 13 civic centers, schools, libraries, parks, playgrounds, fire houses,
- 14 police buildings, hospitals, and other like matters;
- 15 (7) the distribution and density of population;
- 16 (8) planned unit development;
- 17 (9) community appearance;
- 18 (10) financing and programming capital improvements;
- 19 (11) plan and develop facilities for tourism, sports, and
- 20 entertainment; and
- 21 (12) other related elements of growth and development,
- 22 including the social implications of any proposed development, and
- 23 advances in technology related to any subject included in the plan.
- 24 f. In accordance with sections 1 through 68 of P.L.2015, c.19
- 25 (C.5:10A-1 et seq.), and in addition to any other law, rule, or
- 26 regulation concerning affordable housing, the master plan may also
- 27 include codes and standards covering land use, comprehensive
- 28 zoning, subdivisions, building construction and design, housing,
- 29 and the control of air and water pollution, and other subjects
- 30 necessary to carry out the plan or to undertake a workable program
- 31 of community improvement. No codes or standards concerning
- 32 building construction and design shall be promulgated without the
- 33 certificate of the chief engineer or equivalent official of the
- 34 commission that the proposed codes and standards meet the
- 35 engineering standards adopted by the commission. No municipality
- 36 shall adopt, and no municipal official shall enforce, any code which
- 37 is inconsistent with the code contained in the master plan insofar as
- 38 such code applies to property within the district; provided, however,
- 39 that the governing body or other appropriate body of each
- 40 constituent municipality may adopt zoning ordinances and any other
- 41 codes or standards, which it is authorized by the laws of this State
- 42 to adopt, for lands within the boundaries of said municipality which
- 43 are subject to the jurisdiction of the commission and which will
- 44 effectuate the purposes of the commission's master plan.
- 45 (cf: P.L.2015, c.19, s.10)
- 46
- 47 9. Section 11 of P.L.2015, c.19 (C.5:10A-11) is amended to
- 48 read as follows:

1 11. a. A constituent municipality that adopts and maintains the
2 commission's master plan, zoning regulations, codes, and standards
3 shall **【have the authority to】** review and approve or reject **【land use**
4 **or zoning】** applications for the development, improvement,
5 redevelopment, construction, or reconstruction on land in the
6 district, except as otherwise provided in P.L.2015, c.19 (C.5:10A-1
7 et al.), upon the commission's determination that the master plan,
8 zoning regulations, codes, and standards adopted by the constituent
9 municipality conform in all material respects to those of the
10 commission. If the commission does not respond to a constituent
11 municipality's request for a determination of conformance within
12 120 days of the commission receiving the municipality's request,
13 the municipality shall be deemed in conformance. The municipality
14 shall provide the commission all documentation, plans, and
15 information regarding all applications. All fees generated by these
16 applications and approvals shall be retained by the municipality.

17 b. For those constituent municipalities that do not adopt the
18 commission's master plan, zoning regulations, codes, and standards,
19 the commission shall have the sole authority to issue **【the permit】**
20 zoning approvals.

21 c. Any constituent municipality which undertakes projects for
22 public recreation, public safety, and the general welfare of its
23 citizens will not be required to file an application with the
24 commission. The codes and standards of that municipality shall
25 apply. All documentation plans and necessary information
26 regarding the project shall be submitted to the commission upon
27 completion of the project.

28 d. Any project which requires a use variance pursuant to
29 subsection d. of section 57 of P.L.1975, c.291 (C.40:55D-70) or
30 special exception from any provision of the commission's master
31 plan or zoning regulations must be submitted directly to the
32 commission for review and approval or rejection. Any project
33 which requires a bulk variance pursuant to subsection c. of section
34 57 of P.L.1975, c.291 (C.40:55D-70) or approval for a minor
35 subdivision, as defined by section 3.2 of P.L.1975, c.291
36 (C.40:55D-5), may be approved by the appropriate board of a
37 constituent municipality.

38 e. The commission shall maintain jurisdiction over any project
39 that is subject to the jurisdiction of the New Jersey Board of Public
40 Utilities, including, but not limited to, projects proposed by a public
41 utility for the maintenance, operation, rehabilitation, preservation,
42 construction, reconstruction, repair, or upgrade of transmission and
43 distribution lines, rights of way, or systems that ensure safe,
44 adequate, and reliable service.

45 f. Notwithstanding subsections a. through e. of this section, the
46 commission shall maintain sole jurisdiction over any project it
47 deems, in its sole discretion, to be vital to the public safety, general

1 welfare, development, or redevelopment of the district.

2 (cf: P.L.2015, c.19, s.11)

3

4 10. Section 19 of P.L.2015, c.19 (C.5:10A-19) is amended to
5 read as follows:

6 19. **【The】** In addition to any powers established pursuant to
7 section 5 of P.L.1971, c.137 (C.5:10-5), and the powers established
8 pursuant to section 7 of P.L.2015, c.19 (C.5:10A-7), the
9 commission shall ¹endeavor to¹ safeguard the environmental
10 resources of the district and provide quality public recreation and
11 educational opportunities. The commission **【shall】** may:

12 a. Target and prioritize potential preservation sites for
13 acquisition, deed restriction, and conservation easements, including
14 large tracts of wetlands sites;

15 b. Preserve wetlands to protect wildlife, water quality, and
16 flood storage value;

17 c. Review preservation sites for potential wetland enhancement
18 and mitigation;

19 d. Improve connections among the district's trails and habitats,
20 reducing fragmentation;

21 e. Identify missing links in the existing trail system, as well as
22 key locations for connecting to wildlife viewing stations,
23 environmental venues, boat launches, docks, and other active and
24 passive recreational attractions;

25 f. Increase both active and passive recreational uses;

26 g. Eliminate or control the presence of other invasive plant and
27 animal species;

28 h. Maintain and improve targeted habitats relative to breeding,
29 wintering, feeding, and other wildlife activities;

30 i. Maintain the value of the Hackensack meadowlands as an
31 urban sanctuary for birds using the Atlantic Flyway;

32 j. Seek available funding for land acquisition, protection, and
33 management of wildlife preserves;

34 k. Maintain and restore the ecology of the waterways,
35 including the estuary, shorelines, and nursery habitat for fish;

36 l. Continue monitoring water quality by collecting and
37 analyzing data to determine trends, document improvements, and
38 assess the need for additional, or more stringent, measures **【**.
39 Monitoring should include the analysis of historic data to form a
40 baseline to measure the degree of change over time**】**;

41 m. **【Evaluate】** The provisions of section 6 of P.L.1984, c.128
42 (C.13:17-6.1), or any other law, rule, or regulation regarding
43 purchases, contracts, or agreements to the contrary notwithstanding,
44 at the request of the Commissioner of Environmental Protection,
45 evaluate, approve, and implement any plan or plans for the further
46 preservation, development, enhancement, or improvement of
47 Liberty State Park and the buildings, structures, properties, and

1 appurtenances related thereto, or incidental to, necessary for, or
2 complimentary to the park. The commission may avail itself of any
3 plans under review by the Department of Environmental Protection
4 from any source that may promote expanded and diverse
5 recreational, cultural, and educational opportunities for visitors to
6 Liberty State Park and provide greater access to park facilities. Any
7 approved plans shall constitute a project of the commission, and
8 shall be adopted as part of the master plan ¹, except that any plans
9 approved by the commission shall be subject to approval or
10 disapproval by the Commissioner of Environmental Protection. At
11 least one public hearing in connection with plans under
12 consideration by the commission shall be held at Liberty State
13 Park¹ . Nothing in this subsection shall be construed to transfer
14 ownership of any of the property of Liberty State Park to the
15 commission or any other person; and

16 n. ¹**【The commission 【shall】 may operate】 Operate¹** a not-for-
17 profit organization which shall continue research opportunities of
18 the Meadowlands Environmental Research Institute.
19 (cf: P.L.2015, c.19, s.19)

20
21 11. Section 20 of P.L.2015, c.19 (C.5:10A-21) is amended to
22 read as follows:

23 20. The commission **【shall】 may** develop strategies and seek
24 funding for flood control infrastructure based on flood modeling for
25 the district and surrounding areas.

26 a. The commission **【shall】 may**:

27 (1) identify all drainage basins in the district and any drainage
28 areas that directly impact the district; and

29 (2) develop strategies to address the major causes of flooding.

30 b. The commission may**【**:

31 (1) use special assessment powers to fund flood control projects
32 in, or near, the drainage areas that impacts the Hackensack
33 meadowlands; and

34 (2)**】** maintain flood control infrastructure that it constructed.

35 (cf: P.L.2015, c.19, s.20)

36
37 12. Section 21 of P.L.2015, c.19 (C.5:10A-21) is amended to
38 read as follows:

39 21. In providing the solid waste and recycling disposal facilities,
40 the commission shall, prior to preparing any plans or specifications
41 for such facilities, consult with those persons utilizing the district
42 for the treatment and disposal of solid waste, and contract with any
43 such persons who desire to utilize solid waste disposal facilities
44 provided by the commission. In providing such facilities, the
45 commission may:

46 a. Acquire or construct any such facilities as an improvement,
47 and may recover the cost of such acquisition or construction in the

- 1 same manner, and pursuant to the same procedure, provided for any
2 other improvement undertaken by the commission;
- 3 b. Operate and maintain any such facilities, as owner, lessor, or
4 lessee, and generally fix and collect rates, fees, or other charges for
5 any such facilities in the same manner, and pursuant to the same
6 procedure, provided for any other facilities operated and maintained
7 by the commission. The commission shall submit to the
8 Commissioner of Environmental Protection for approval a plan or
9 plans describing in detail the purpose of any acquisition,
10 construction, operation, lease as lessor or lessee, contract, or
11 agreement. When reviewing the plans submitted in compliance
12 with this section and in determining conditions under which such
13 plans may be approved, the commissioner shall give due
14 consideration to community development of comprehensive
15 regional solid waste disposal facilities, with the objective being that
16 all conform to reasonably contemplated development of
17 comprehensive community or regional solid waste disposal
18 facilities. No solid waste disposal facility shall be acquired,
19 constructed, operated, leased, contracted, or agreed for in the
20 district without approval of the Commissioner of Environmental
21 Protection;
- 22 c. Join and participate with any agency, municipality, county,
23 or authority created by the State, or by any political subdivision or
24 subdivisions thereof, through an intergovernmental agreement
25 without need for that agency, municipality, county, or authority to
26 go to public bid for the purpose of treating or disposing of solid
27 waste and recycling;
- 28 d. Permit, by contract or agreement, any agency,
29 instrumentality, or authority created by the State, or by any political
30 subdivision thereof, for the purpose of treating or disposing of solid
31 waste, to acquire, construct, or operate and maintain any solid waste
32 disposal facilities which such agency, instrumentality, or authority
33 is authorized by law to acquire, construct, or operate and maintain.
34 Any such facilities acquired, constructed, or operated and
35 maintained by any such agency, instrumentality, or authority may
36 be located either within the district or without the district, but shall
37 be within the jurisdiction of such agency, instrumentality, or
38 authority.
- 39 e. For the purposes of acquiring or constructing any solid waste
40 disposal facility, the commission is authorized to issue bonds and
41 notes and to pay or redeem said bonds and notes from revenue
42 derived from the fees and other charges collected for such facilities.
43 Any cost incurred by the commission in providing any solid waste
44 disposal facilities shall be charged to the persons utilizing such
45 facilities, and nothing herein contained shall be interpreted as
46 requiring the commission to bear the cost of any solid waste
47 disposal facility provided by the commission.

1 f. No solid waste may be treated or disposed in the district by
2 any person without the express written permission of the
3 commission.

4 (cf: P.L.2015, c.19, s.21)

5

6 13. Section 22 of P.L.2015, c.19 (C.5:10A-22) is amended to
7 read as follows:

8 22. a. In the event that surplus moneys become available from
9 the operation of solid waste disposal facilities by the commission,
10 which are not required by any contract with the holders of any
11 bonds, notes, or other obligations of the commission to be retained
12 in any fund or account for the security of the commission's bonds,
13 notes, or other obligations, then at least 75 percent of that surplus
14 shall be used by the commission for any lawful purpose and 25
15 percent of that surplus **[shall]** may be placed in a special Municipal
16 Assistance Program fund established by the commission for the
17 purpose of infrastructure improvements.

18 b. The commission may establish a surcharge on solid waste
19 which enters into its facilities. Revenue collected pursuant to this
20 subsection shall be dedicated, exclusively, to the Municipal
21 Assistance Program fund created by the commission pursuant to
22 subsection a. of this section.

23 (cf: P.L.2015, c.19, s.22)

24

25 14. Section 23 of P.L.2015, c.19 (C.5:10A-23) is amended to
26 read as follows:

27 23. a. Pursuant to the procedure hereinafter provided, the
28 commission shall have the exclusive power to declare the district,
29 or any portion thereof, to be an area in need.

30 b. Prior to declaring any portion of the district as an area in
31 need, the commission, by resolution, shall provide for a preliminary
32 investigation. Upon the adoption of such a resolution, the
33 commission shall prepare a map showing the boundaries of the
34 proposed area and the location of the various parcels of property
35 located therein, and shall append thereto a statement setting forth
36 the reasons for the investigation.

37 c. The commission shall thereupon cause a hearing to be held
38 at an appointed time and place for the purpose of hearing persons
39 interested in, or who would be affected by, a determination that the
40 area is an area in need, as defined in section 3 of P.L.2015, c.19
41 (C.5:10A-3), and who are in favor of, or are opposed to, such
42 determination.

43 d. A notice of such hearing shall be given setting forth the
44 general boundaries of the area to be investigated and stating that a
45 map has been prepared and can be inspected at the office of the
46 commission. The commission shall cause the publication of the
47 notice in a newspaper of general circulation in the district once each
48 week for two consecutive weeks, and the last publication shall be

1 not less than 10 days prior to the date set for the hearing. A copy of
2 the notice shall be mailed at least 10 days prior to the date set for
3 the hearing to the last known owner, if any, of each parcel of
4 property within the area according to the assessment records of the
5 municipality where the parcel is located. Such notice shall be sent
6 to the last known postal address of such owners. The commission
7 shall also send notice to any persons at their last known address, if
8 any, whose names appear on said assessment records as claimants
9 of an interest in any such parcel. The assessor of a constituent
10 municipality shall make such a notation upon the said records when
11 requested so to do by any person claiming to have an interest in any
12 parcel of property in such municipality. Failure to mail notice as
13 required by this section shall not invalidate the investigation or
14 determination thereon.

15 e. At the hearing, the commission shall hear all persons
16 interested in the investigation and shall consider any written
17 objections that may be filed, and any evidence which may be
18 introduced, in support of the objections, or any opposition to a
19 determination that the area is in need. After the hearing, the
20 commission shall, by resolution, determine that the area or any part
21 thereof is, or is not, in need. A determination that an area is in
22 need, if supported by substantial evidence, shall be binding and
23 conclusive upon all persons affected by the determination. If the
24 determination is that an area is in need, the commission, within 10
25 days after such determination, shall mail a copy of the resolution to
26 each person who filed a written objection at, or prior to, the hearing,
27 so long as the address of the objector was stated in, or to, the
28 written objection.

29 f. Any person who **【shall have】** has filed such a written
30 objection with the commission and whose objection was rejected
31 may **【have a determination that an area is in need reviewed by the**
32 **Superior Court by procedure in lieu of prerogative writs. An action**
33 **for any such review shall be commenced within 30 days after the**
34 **determination by the commission. In any such action, the court may**
35 **make any incidental order that shall be deemed by the court to be**
36 **proper】** appeal such final agency determination directly to the
37 Appellate Division.

38 g. If the determination is that an area is in need, the
39 commission may acquire the real property within the area by
40 purchase, or by eminent domain proceedings in accordance with the
41 “Eminent Domain Act of 1971,” P.L.1971, c.361 (C.20:3-1 et seq.),
42 and may proceed with the clearance, planning, development, or
43 redevelopment of the area as a public purpose and for public use, or
44 the commission may, by resolution, agree that a redeveloper may
45 undertake such clearance, planning, development, or
46 redevelopment.

47 (cf: P.L.2015, c.19, s.23)

1 15. Section 42 of P.L.2015, c.19 (C.5:10A-42) is amended to
2 read as follows:

3 42. a. Special assessments levied against land in class one shall
4 be considered to be of general benefit to the entire district and areas
5 outside of the district, as it relates to flood control projects, and
6 shall be included as a charge against general revenues of the
7 commission, or paid out of any funds of the commission which shall
8 be available for such purpose.

9 b. When any assessment shall not be paid within two months
10 after the date of confirmation thereof, interest thereon from the date
11 of confirmation shall be imposed at the rate of six percent per
12 annum.

13 (cf: P.L.2015, c.19, s.42)

14

15 16. Section 46 of P.L.2015, c.19 (C.5:10A-46) is amended to
16 read as follows:

17 46. The commission may, by resolution, provide that the owner
18 of any land, upon which any assessments for any improvement shall
19 have been made, pay such assessments in equal yearly installments,
20 for a number of years as may be provided by the rules and
21 regulations of the commission, with legal interest thereon, provided
22 that any person assessed may pay the whole of any assessment, or
23 any balance of installments, with accrued interest thereon, at one
24 time. If any such installment becomes due and is not paid, the
25 whole assessment, or balance due thereon, shall become
26 immediately due, draw interest at the rate of six percent per annum,
27 and be collected in the same manner as is provided in sections 1
28 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.) for other past due
29 assessments.

30 (cf: P.L.2015, c.19, s.46)

31

32 17. Section 52 of P.L.2015, c.19 (C.5:10A-52) is amended to
33 read as follows:

34 52. On or before November 15 **【, 2017】** of the year of
35 enactment of P.L.2015, c.19 (C.5:10A-1 et al.), and on or before
36 November 15 of each year thereafter, the secretary, superintendent,
37 or a person designated by the school board of each school district of
38 each constituent municipality shall certify to the commission the
39 resident enrollment as of September 30 of that year. The
40 certification shall show the number, address, and grade enrolled of
41 pupils who reside within the district, and the number who reside
42 outside, in a manner to be prescribed by the Commissioner of
43 Education.

44 (cf: P.L.2015, c.19, s.52)

45

46 18. Section 53 of P.L.2015, c.19 (C.5:10A-53) is amended to
47 read as follows:

1 53. a. In the adjustment year **【2017】** of the year of enactment of
2 P.L.2015, c.19 (C.5:10A-1 et al.), and in each adjustment year
3 thereafter, the commission shall establish an intermunicipal account
4 and shall compute the amount payable to the account by each of the
5 constituent municipalities and the amount due to each constituent
6 municipality from said account for that year pursuant to **【section**
7 **55】** sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.).

8 b. As used in this section, except as otherwise specifically
9 provided, the increase or decrease in aggregate true value of taxable
10 real property for any adjustment year shall be the difference
11 between:

12 (1) The aggregate true value of that portion of taxable real
13 property, exclusive of Class II railroad property, in the constituent
14 municipality located within the district in the comparison year, and

15 (2) The aggregate true value of that property in the base year.

16 c. Aggregate true value of all taxable real property shall be
17 determined by aggregating the assessed value of all real property
18 within the district boundaries in each constituent municipality, and
19 dividing the total by the average assessment ratio, as promulgated
20 by the Director of the Division of Taxation in the Department of the
21 Treasury for State school aid purposes, on October 1 of the
22 respective years for which aggregate true value is to be determined,
23 pursuant to P.L.1954, c.86 (C.54:1-35.1 et seq.), or as modified by
24 the tax court.

25 d. For the purpose of calculating aggregate true value, the
26 assessed value of taxable real property for any given year shall
27 comprise the sum of the following:

28 (1) The assessed value shown on the assessment duplicate for a
29 given year, as certified by the county board of taxation and reflected
30 in the county table of aggregates prepared pursuant to R.S.54:4-52,
31 or as modified by the county board of taxation.

32 (2) The prorated assessed values pertaining to such year, as
33 certified by the county board of taxation on or before October 10,
34 with respect to the assessor's added assessment list for such year, as
35 the same may be modified by the county board of taxation upon
36 appeal; and

37 (3) The assessed values pertaining to a given year, as certified
38 by the county board of taxation, with respect to the assessor's
39 omitted property assessment list for that year, as the same may be
40 modified by the county board of taxation upon appeal.

41 e. If, during any comparison year, a constituent municipality
42 has received a payment in lieu of real estate taxes on property
43 located within the district, then, for the purpose of calculating the
44 increase or decrease in the municipality's aggregate true value
45 under subsection b. of this section, there shall be added to the
46 aggregate true value for such comparison year an amount
47 determined by dividing the amount of the in lieu payment by the
48 municipal tax rate for the comparison year and dividing the result

1 by the average assessment ratio for school aid purposes as
2 promulgated by the Director of the Division of Taxation in the
3 Department of the Treasury.

4 f. The amount payable to the intermunicipal account by each
5 constituent municipality in any adjustment year shall be determined
6 in the following manner: the apportionment rates calculated for the
7 comparison year shall be multiplied by the increase, if any, in
8 aggregate true value of taxable real property for such year; provided
9 however, that the amount payable to the intermunicipal account in
10 any adjustment year shall be limited to 40 percent of the amount
11 calculated pursuant to this subsection.

12 (cf: P.L.2015, c.19, s.53)

13

14 19. Section 56 of P.L.2015, c.19 (C.5:10A-56) is amended to
15 read as follows:

16 56. For school district services, the service payment payable by
17 the intermunicipal account to a constituent municipality in any
18 adjustment year shall be found by dividing the total local school tax
19 levy, as shown on the Table of Aggregates pursuant to R.S.54:4-52
20 for the comparison year, by the school resident enrollment on
21 September 30 of such comparison year, as certified pursuant to
22 section 52 of P.L.2015, c.19 (C.5:10A-52), and multiplying the
23 result by the increase, if any, in resident enrollment within the
24 district boundaries of that constituent municipality between
25 September 30 of the base year **【of enactment of P.L.2015, c.19**
26 **(C.5:10A-1 et al.)】** and September 30 of the comparison year.

27 (cf: P.L.2015, c.19, s.56)

28

29 20. Section 57 of P.L.2015, c.19 (C.5:10A-57) is amended to
30 read as follows:

31 57. a. If, in any adjustment year, the amount payable to the
32 constituent municipalities by the intermunicipal account for
33 guarantee payments and school district service payments is less than
34 the amount payable to the intermunicipal account pursuant to
35 section **【55】** 53 of P.L.2015, c.19 (C.5:10A-53), the balance, if any,
36 shall be apportioned among the constituent municipalities in the
37 same ratio as the number of acres within the district of each
38 constituent municipality bears to the total number of acres in the
39 district, and shall be known as an apportionment payment.

40 b. The commission shall not **【be able to】** receive any funds
41 from the intermunicipal account for any purpose.

42 (cf: P.L.2015, c.19, s.57)

43

44 21. Section 58 of P.L.2015, c.19 (C.5:10A-58) is amended to
45 read as follows:

46 58. If, in any adjustment year, the amount payable to the
47 constituent municipalities by the intermunicipal account for
48 guarantee payments and service payments exceeds the amount

1 payable to said account pursuant to section **[55]** 53 of P.L.2015,
2 c.19 (C.5:10A-58), the total service payments payable to all
3 constituent municipalities shall be reduced by the amount of the
4 deficit and the service payment payable to each constituent
5 municipality shall be reduced by the same ratio as the total service
6 payment to all constituent municipalities was reduced.
7 (cf: P.L.2015, c.19, s.58)

8
9 22. Section 59 of P.L.2015, c.19 (C.5:10A-59) is amended to
10 read as follows:

11 59. a. On or before February 1 **[, 2017]** of the year of
12 enactment of P.L.2015, c.19 (C.5:10A-1 et al.) and on or before
13 February 1 of each year thereafter, the commission shall certify to
14 the chief financial officer of each constituent municipality an
15 amount, identified as the meadowlands adjustment payment. The
16 meadowlands adjustment payment for each constituent municipality
17 shall be determined by adding all the payments payable to that
18 municipality from the intermunicipal account for school district
19 service payments, guarantee payments, and apportionment
20 payments, if any, and by subtracting therefrom the obligations of
21 that municipality to the intermunicipal account, as calculated
22 pursuant to sections 53 and 58 of P.L.2015, c.19 (C.5:10A-53 and
23 5:10A-58). The amount so derived shall be referred to as the
24 meadowlands pre-adjustment payment. For calendar year 2015, the
25 meadowlands adjustment payment shall be the average of the
26 meadowlands pre-adjustment payments for calendar years 2012,
27 2013, and 2014 **[and 2015]**. For calendar year 2016**],** the
28 meadowlands adjustment payment shall be the average of the
29 meadowlands pre-adjustment payments for calendar years 2013,
30 2014, and 2015. For calendar year 2017**]** and subsequent years, the
31 meadowlands adjustment payment shall be the average of the
32 meadowlands pre-adjustment payments for the prior three calendar
33 years.

34 b. If the meadowlands adjustment payment for any constituent
35 municipality in any adjustment year is payable to the constituent
36 municipality, the amount of this payment shall be identified in the
37 municipal budget of that municipality for that year as
38 “meadowlands adjustment” within the category “miscellaneous
39 revenues anticipated,” and shall be due and payable in three equal
40 installments by the intermunicipal account on May 15, August 15,
41 and November 15 of that year.

42 (cf: P.L.2015, c.19, s.59)

43

44 23. Section 60 of P.L.2015, c.19 (C.5:10A-60) is amended to
45 read as follows:

46 60. There is established the Hackensack Meadowlands Tax
47 Sharing Stabilization Fund in the commission. The fund shall be
48 comprised of revenues made available from **[the State of New**

1 Jersey and from] interest payments on sanitary landfill closure
2 accounts maintained by the commission or such other revenues
3 which are made available for these purposes. Moneys in the fund
4 shall be used to fully compensate municipalities from excessive
5 fluctuations in payments from the intermunicipal account in 2014
6 and subsequent years. In the event that there are insufficient
7 monies in the fund to fully compensate all municipalities in any
8 year, the amount paid to each municipality shall constitute the same
9 proportion of the total amount of money available to all
10 municipalities as each municipality would receive if the amount of
11 money in the fund were sufficient to fully compensate all
12 municipalities in that year.

13 For the purposes of this section, any decrease in a payment
14 required to be made from the intermunicipal account to a
15 constituent municipality which is in excess of five percent below
16 the previous year's payment shall be considered an "excessive
17 fluctuation."

18 (cf: P.L.2015, c.19, s.60)

19

20 24. Section 72 of P.L.2015, c.19 (C.5:10A-72) is amended to
21 read as follows:

22 72. a. There is hereby established a transportation planning
23 district which shall consist of those lands which comprise the
24 Meadowlands District. The Meadowlands Transportation Planning
25 Board, created pursuant to subsection b. of this section, shall be the
26 managing authority to administer and manage the transportation
27 planning district and to carry out such additional functions as
28 provided in sections 69 through 81 of P.L.2015, c.19 (C.5:10A-69
29 et seq.).

30 b. There is established in, but not of, the Department of
31 **Community Affairs** State, the Meadowlands Transportation
32 Planning Board. The board shall consist of: the Commissioner of
33 Community Affairs or the commissioner's designee; the
34 Commissioner of Transportation or the commissioner's designee; a
35 representative from the ridesharing organization EZ Ride or its
36 successor organization; a representative of the Hackensack
37 Meadowlands Municipal Committee; a representative of the
38 Meadowlands Regional Chamber of Commerce; and four public
39 members appointed by the Governor, with the advice and consent of
40 the Senate. The executive director of the commission shall serve as
41 the secretary of the board. The board shall be staffed by the
42 employees of the commission.

43 c. In furtherance of the development of a coherent and
44 sustainable transportation system for the district, the board shall
45 initiate a joint planning process with participation by: State
46 departments and agencies, corporations, commissions, boards, and
47 authorities; those bi-state authorities, metropolitan planning
48 organizations, and counties and municipalities with jurisdiction in

1 the district; and private representatives. The board shall oversee the
2 development and updating of a comprehensive, future-oriented
3 district transportation plan in accordance with the provisions of
4 section 73 of P.L.2015, c.19 (C.5:10A-73).

5 The provisions of sections 69 through 81 of P.L.2015, c.19
6 (C.5:10A-69 et seq.) shall be retroactive to January 1, 2014.
7 (cf: P.L.2015, c.19, s.72)

8
9 25. Section 79 of P.L.2015, c.19 (C.5:10A-79) is amended to
10 read as follows:

11 79. A person may appeal to the commission any decision made
12 in connection with the reconsideration of a fee as authorized
13 pursuant to subsection b. of section 78 of P.L.2015, c.19 (C.5:10A-
14 78). The commission shall review the record of the hearing and
15 render its decision, which shall constitute **[an]** a final
16 administrative action subject to review by the Appellate Division of
17 the Superior Court. Nothing contained herein shall be construed as
18 limiting the ability of any person so assessed from filing an appeal
19 based upon an agreement to pay or actual payment of the fee.
20 (cf: P.L.2015, c.19, s.79)

21
22 26. Section 83 of P.L.2015, c.19 (C.5:10A-83) is amended to
23 read as follows:

24 83. The Legislature finds and declares that:

25 a. The New Jersey Meadowlands Commission is the zoning
26 and planning agency for a 30.4-square-mile area along the
27 Hackensack River known as the Hackensack Meadowlands,
28 covering parts of 14 municipalities in Bergen and Hudson Counties
29 in New Jersey. The Meadowlands Regional Commission will
30 oversee the development, and redevelopment, of the Hackensack
31 Meadowlands in an orderly and comprehensive fashion, with
32 special consideration to the ecological factors constituting the
33 environment of the Hackensack Meadowlands.

34 b. A vital component of the comprehensive plan for the
35 development of the Hackensack Meadowlands was an
36 intermunicipal tax-sharing program. The intermunicipal tax sharing
37 program was established to create a fair and equitable method of
38 distributing the benefits and costs of economic development
39 and land use decisions made by the New Jersey Meadowlands
40 Commission among the 14 municipalities located in the
41 Meadowlands District. Under this program, as originally
42 conceived, the municipalities with fewer development restrictions
43 are required to deposit a share of their tax ratables into a special
44 intermunicipal account administered by the commission. Money in
45 this account is annually distributed to the municipalities with
46 greater development restrictions to make up for their loss of tax
47 ratable growth opportunity. **[**Currently, seven municipalities pay

1 into the intermunicipal account while the remaining seven
2 municipalities receive distributions from the account.】

3 c. The New Jersey Meadowlands Commission, the predecessor
4 to the Meadowlands Regional Commission, has been successful in
5 providing orderly and comprehensive development, solid waste
6 management, and environmental protection in the Hackensack
7 Meadowlands District, as well as providing for the investment of
8 many millions of dollars in development, municipal services, and
9 significant infrastructure projects, among other things.

10 d. It is fitting and proper to establish new sources of funding
11 to replace the intermunicipal tax sharing program in order to
12 facilitate the future of the Hackensack Meadowlands District as a
13 vibrant area of economic growth in the State of New Jersey, as well
14 as a tourism destination and an area of continued environmental
15 significance and improvement. The new sources of funding should
16 recognize the concerns of the district's seven municipalities that
17 must contribute significant amounts of property tax dollars to the
18 intermunicipal tax sharing program. These municipalities have
19 been especially challenged to provide services to municipal
20 residents and contribute to the intermunicipal tax sharing program,
21 while operating under the significant restrictions of the 2% property
22 tax levy cap. In effect, the cost of the State policy to preserve the
23 Hackensack Meadowlands has been borne by the property taxpayers
24 of the seven municipalities required to deposit tax revenue into the
25 intermunicipal account.

26 e. It is also appropriate and necessary to recognize the
27 consistent impact on the Hackensack Meadowlands District of
28 tourist-related activities and attractions, including sports and
29 entertainment activities and construction at the properties located in
30 the heart of the district, and to require that patrons of those tourist-
31 related activities and attractions shall contribute to the financial
32 needs of the municipalities that comprise the Meadowlands district
33 in order to reduce the property tax burden on their residents.

34 (cf: P.L.2015, c.19, s.83)

35

36 27. Section 84 of P.L.2015, c.19 (C.5:10A-84) is amended to
37 read as follows:

38 84. As used in sections 82 through 85 of P.L.2015, c.19
39 (C.5:10A-82 et seq.):

40 "Commission" means the New Jersey Sports and Exposition
41 Authority, which may be referred to as the "Meadowlands Regional
42 Commission," as established by section 6 of P.L.2015, c.19
43 (C.5:10A-6).

44 "Meadowlands district" means the Hackensack Meadowlands
45 District, the area delineated within section 5 of P.L.2015, c.19
46 (C.5:10A-5).

47 【"Hotel" means a building, or portion of it, which is regularly
48 used and kept open as such for the lodging of guests and is subject

1 to taxation pursuant to subsection d. of section 3 of P.L.1966, c.30
2 (C.54:32B-3).】

3 “Public venue” means any place located within the Meadowlands
4 district, whether publicly or privately owned, where any facilities
5 for entertainment, amusement, or sports are provided, but shall not
6 include a movie theater.

7 "Public event" means any spectator sporting event, trade show,
8 exposition, concert, amusement, or other event open to the public
9 that takes place at a public venue, but shall not include a major
10 league football game.

11 (cf: P.L.2015, c.19, s.84)

12

13 28. Section 85 of P.L.2015, c.19 (C.5:10A-85) is amended to
14 read as follows:

15 85. a. Beginning on the first day of the first month next
16 following the enactment of P.L.2015 c.19 (C.5:10A-1 et al.), there
17 is imposed a Meadowlands regional hotel use assessment on the
18 rent for the occupancy of every room in every hotel located in the
19 Meadowlands district, including any hotels located on land owned
20 by the State. The assessment imposed under this subsection shall
21 be 3% of the rent charged for every occupancy of a room or rooms
22 in a hotel subject to taxation pursuant to subsection (d) of section 3
23 of P.L.1966, c.30 (C.54:32B-3), and shall be paid to the Director of
24 the Division of Taxation by each person required to collect the tax
25 not later than the 10th day of each month based on the occupancy of
26 rooms in that hotel during the previous calendar month.

27 b. In carrying out the provisions of subsection a. of this
28 section, the director shall have all of the powers and authority
29 granted in P.L.1966, c.30 (C.54:32B-1 et seq.). The tax shall be
30 filed and paid in a manner prescribed by the Director of the
31 Division of Taxation. The director shall promulgate such rules and
32 regulations as the director determines are necessary to effectuate the
33 provisions of this section.

34 Each person required to collect the assessment shall be
35 personally liable for the assessment imposed, collected, or required
36 to be paid, collected, or remitted under this section. Any such
37 person shall have the same right in respect to collecting the fee from
38 that person's customer or in respect to non-payment of the fee by
39 the customer as if the fee were a part of the purchase price of the
40 occupancy or rent, as the case may be, and payable at the same
41 time; provided, however, that the director shall be joined as a party
42 in any action or proceeding brought to collect the fee.

43 For purposes of this **【subsection】** section, "person" includes: an
44 individual, partnership, corporation, or an officer, director,
45 stockholder, or employee of a corporation, or a member or
46 employee of a partnership, who as such officer, director,
47 stockholder, employee, or member is under the duty to perform the
48 act in respect of which the violation occurs.

1 An assessment imposed under this section shall be in addition to
2 any other tax or fee imposed pursuant to statute or local ordinance
3 or resolution by any governmental entity.

4 c. Assessment revenue shall be collected by the Director of the
5 Division of Taxation and shall be deposited by the Director of the
6 Division of Taxation into the intermunicipal account established
7 pursuant to section 53 of P.L.2015, c.19 (C.5:10A-53), and shall be
8 used to pay meadowlands adjustment payments to municipalities in
9 the Meadowlands district pursuant to the provisions of sections 1
10 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.). If in any year,
11 assessment revenue in the intermunicipal account exceeds the
12 amount necessary to pay meadowlands adjustment payments to
13 municipalities in the Meadowlands district, that remaining
14 assessment revenue may be used for the purposes set forth in
15 subsection e. of this section.

16 d. In the event sufficient assessment revenue is unavailable in
17 any year to pay all of the required meadowlands adjustment
18 payments to municipalities in the Meadowlands district, the State
19 Treasurer shall provide the commission with such funds as may be
20 necessary to make all of the required payments to those
21 municipalities.

22 e. In the event that in any year, after the required meadowlands
23 adjustment payments have been made to municipalities in the
24 Meadowlands district, assessment revenue remains in the
25 intermunicipal account, that remaining assessment revenue may be
26 used in that year for the following purposes:

27 (1) the commission may perform projects in the areas of flood
28 control, traffic, renewable energy, or other infrastructure
29 improvement projects and utilize monies from the project fund for
30 property acquisition, demolition, clearance, removal, relocation,
31 renovation, alteration, construction, reconstruction, installation, or
32 repair of a structure or improvement, and the costs associated
33 therewith including the costs of appraisal, economic and
34 environmental analyses or engineering, planning, design,
35 architectural, surveying, or other professional services;

36 (2) the commission may expend funds towards the promotion of
37 the Meadowlands district as a tourism destination;

38 (3) the commission may fund the acquisition of property for the
39 purpose of open space preservation and the costs associated
40 therewith including the costs of appraisal, economic and
41 environmental analyses or engineering, surveying, or other
42 professional services; or

43 (4) the commission may fund the creation of parks and other
44 recreational facilities and the costs associated therewith, including
45 the costs of appraisal, economic and environmental analyses or
46 engineering planning, design, architectural, surveying, or other
47 professional services.

1 Not later than the first day of the third month next following the
2 enactment of P.L.2015, c.19 (C.5:10A-1 et al.) and pursuant to the
3 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
4 seq.), the commission shall adopt, by resolution, standards for the
5 disbursement in any year of any remaining assessment revenue for
6 projects and uses set forth in subsection e. of this section.
7 f. Terms used in this section shall have the meaning given
8 those terms pursuant to section 2 of P.L.1966, c.30 (C.54:32B-2).
9 (cf: P.L.2015, c.19, s.85)
10
11 29. This act shall take effect immediately.