ASSEMBLY, No. 2514



STATE OF NEW JERSEY

217th LEGISLATURE



INTRODUCED FEBRUARY 4, 2016

Sponsored by:

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District 24 (Morris, Sussex and Warren)

Assemblywoman GAIL PHOEBUS

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblymen Houghtaling, Howarth, Coughlin, Assemblywoman Downey and Assemblyman Mukherji

SYNOPSIS

Permits local units of government to enter into shared services agreements with federal military installations located in the State.

CURRENT VERSION OF TEXT

As introduced.



An Act permitting local units of government to enter into shared services agreements with federal military installations located in the State and amending P.L.2007, c.63.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. Section 3 of P.L.2007, c.63 (C.40A:65-3) is amended to read as follows:

3. As used in sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35):

"Board" means the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs.

"Construct" and "construction" connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment of lands, public improvements, works, facilities, services or undertakings.

"Contracting local units" means local units participating in a joint meeting.

"Director" means the Director of the Division of Local Government Services in the Department of Community Affairs.

"Division" means the Division of Local Government Services in the Department of Community Affairs.

"Governing body" means the board, commission, council, or other body having the control of the finances of a local unit; and in those local units in which an executive officer is authorized by law to participate in such control through powers of recommendation, approval, or veto, the term includes that executive officer, to the extent of the officer's statutory participation.

"Joint contract" means an agreement between two or more local units to form a joint meeting.

"Joint meeting" means the joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract under section 14 of P.L.2007, c.63 (C.40A:65-14).

"Local unit" means a "contracting unit" pursuant to section 2 of P.L.1971, c.198 (C.40A:11-2), a "district" pursuant to N.J.S.18A:18A-2, a "county college" pursuant to N.J.S.18A:64A-1, a joint meeting, **[**or**]** any authority or special district that is subject to the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), or a federal military base that intends to participate with another local unit in a shared service agreement or a joint meeting.

"Operate" and "operation" mean and include acquisition, construction, maintenance, management, and administration of any lands, public improvements, works, facilities, services, or undertakings.

"Person" means any person, association, corporation, nation, State, or any agency or subdivision thereof, or a county or municipality of the State.

"Service" means any of the powers, duties and functions exercised or performed by a local unit by or pursuant to law.

"Shared service" or "shared" means any service provided on a regional, joint, interlocal, shared, or similar basis between local units, the provisions of which are memorialized by agreement between the participating local units, but, for the purposes of this act, does not include any specific service or activity regulated by some other law, rule or regulation.

"Shared service agreement" or "agreement" means a contract authorized under section 4 of P.L.2007, c.63 (C.40A:65-4).

"Terminal leave benefit" means a single, lump sum payment, paid at termination, calculated using the regular base salary at the time of termination.

(cf: P.L.2007, c.63, s.3)

2. This act shall take effect immediately.

STATEMENT

This bill would revise the definition of a “local unit” under the “Uniform Shared Services and Consolidation Act,” P.L.2007, c.63 (C.40A:65-1 et seq.) to include a federal military base that intends to participate with another local unit in a shared service agreement or a joint meeting, so that such a federal military base would be able to participate in a shared service agreement or a joint meeting with other local units of government. Currently, the “Uniform Shared Services and Consolidation Act” defines a “local unit” as a "contracting unit" pursuant to section 2 of P.L.1971, c.198 (C.40A:11-2), a "district" pursuant to N.J.S.18A:18A-2, a "county college" pursuant to N.J.S.18A:64A-1, a joint meeting, or any authority or special district that is subject to the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.).

This bill would implement a recommendation of the New Jersey Military Installation Growth and Development Task Force in its report of July, 2015 to facilitate shared services between military installations and neighboring governments. The report notes that in 2013, a federal statute was enacted that that empowers military installations to enter into intergovernmental support agreements with State or local governments to provide, receive, or share installation-support services where such agreements enhance mission effectiveness or create efficiencies or economies of scale, including cost reduction. The provisions of this bill would amend State law to permit these agreements.