

ASSEMBLY, No. 279

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JOHN ARMATO

District 2 (Atlantic)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

SYNOPSIS

Requires preservation of employee benefits and contractual rights as condition of sale of Atlantic City International Airport.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning certain South Jersey Transportation Authority
2 employee benefits and amending P.L.1991, c.252.

3

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

6

7 1. Section 24 of P.L.1991, c.252 (C.27:25A-24) is amended to
8 read as follows:

9 24. a. There is established a transportation project, which shall
10 consist of an airport and related facilities and activities. The
11 airport, which shall be known as the "Atlantic City International
12 Airport," shall consist of such lands and improvements as the
13 authority may acquire in Egg Harbor, Hamilton, and Galloway
14 townships, county of Atlantic, including but not limited to the lands
15 and improvements to be acquired from the city of Atlantic City and
16 lands and improvements which may be acquired from the Federal
17 Aviation Administration. The airport shall include but not be
18 limited to any area, place, building, structure, equipment, material,
19 supplies, or real property designed to provide or be used in, or
20 necessarily related to, the provision of air passenger or freight
21 service and the stations, shelters and terminals, heliports, gates,
22 terminal aprons, runways, taxiways, air rights, baggage facilities,
23 parking facilities, ramps, track connections, signal systems, power
24 systems, public highways, noise abatement projects, information
25 and communication systems, transit lines and rights-of-way,
26 equipment storage and servicing facilities, aircraft, maintenance and
27 garage facilities, revenue handling equipment, and any other
28 building, structure, equipment, materials, supplies, or real property
29 employed or used in, or necessarily related to, the provision of these
30 services.

31 b. The authority may enter into contracts, leases, or agreements
32 with any agency or instrumentality of the federal government, a bi-
33 state agency, the State, or any subdivision thereof, or a county or
34 municipal government, including but not limited to the United
35 States Department of Transportation Federal Aviation
36 Administration, concerning the acquisition, construction,
37 maintenance, operation, or support of this project.

38 c. The authority may enter into agreements with surrounding
39 municipalities for reimbursement to these municipalities for costs
40 incurred as a result of services provided by these municipalities to
41 the Atlantic City International Airport.

42 d. Notwithstanding section 10 of P.L.2011, c.18 (C.5:12-224),
43 or any other law, rule, or regulation to the contrary, if the authority
44 transfers, by sale or lease, all or any part of its interest in the
45 Atlantic City International Airport and any other lands 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.

1 improvements that the authority has acquired pursuant to this
2 section, or delegates or otherwise transfers responsibility for the
3 management or performance of operations conducted or services
4 provided at Atlantic City International Airport facilities, the
5 authority shall provide that the conditions of the sale, lease,
6 delegation, or other transfer shall not deprive any officers or
7 employees of the authority of the rights, privileges, or obligations
8 that they enjoyed prior to that sale, lease, delegation, or other
9 transfer. The officers and employees shall retain all of their rights
10 and benefits under existing collective negotiation agreements or
11 contracts until such time as new or revised agreements or contracts
12 are agreed to or until existing agreements or contracts expire. Any
13 sale, lease, delegation, or other transfer to any agency or
14 instrumentality of the State, or to any political subdivision of the
15 State or any agency or instrumentality of such subdivision, shall not
16 affect the civil service status, if any, of those officers or employees
17 or their status or pension credits with respect to any pension or
18 retirement system. Any accumulated employee benefits, including,
19 but not limited to, sick, vacation, or administrative leave, of each
20 South Jersey Transportation Authority employee whose
21 employment is transferred to another entity, public or private, in
22 relation to the sale or lease of the Atlantic City International
23 Airport, or the delegation or other transfer of management or
24 operating responsibility with respect thereto, shall be carried over to
25 the employee's position with the entity to which the sale, lease,
26 delegation, or other transfer is made. All existing employee
27 representatives shall be retained to act on behalf of those employees
28 until such time as the employees shall, pursuant to law, elect to
29 change those representatives.

30 (cf: P.L.1991, c.252, s.24)

31
32 2. This act shall take effect immediately.
33
34

35 STATEMENT

36
37 This bill provides that, if the South Jersey Transportation
38 Authority (SJTA) sells or leases any of its interest in or delegates
39 responsibility for the management of operations of the Atlantic City
40 International Airport (airport), the SJTA is to provide that the
41 conditions of the sale, lease, or delegation are not to deprive any
42 officers or employees of the SJTA of their rights concerning
43 pension and retirement benefits, benefits under existing collective
44 negotiation agreements, and their civil service status, if applicable.

45 The bill provides that any accumulated employee benefits,
46 including, but not limited to, sick, vacation, or administrative leave,

1 and pension credits of SJTA employees whose employment is
2 transferred to another entity that has been delegated airport
3 operations or has purchased or leased the airport, are to be carried
4 over to the employee's position with the new entity.

5 Finally, the bill provides that all existing employee
6 representatives are to be retained to act on behalf of SJTA
7 employees affected by the sale, lease, or delegation of airport
8 operations until such time as the employees elect to change those
9 representatives.