

ASSEMBLY, No. 2059

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblywoman NANCY F. MUNOZ

District 21 (Morris, Somerset and Union)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Assemblywomen B.DeCroce, Murphy and Downey

SYNOPSIS

Grants authority for human resource management of employees of the New Jersey Schools Development Authority to Civil Service Commission.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning human resource management for employees of
2 the New Jersey Schools Development Authority, and amending
3 P.L.2007, c.137.

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

7
8 1. Section 4 of P.L.2007, c.137 (C.52:18A-238) is amended to
9 read as follows:

10 4. The development authority shall have the following powers:

11 a. To adopt bylaws for the regulation of its affairs and the
12 conduct of its business;

13 b. To adopt and have a seal and to alter the same at pleasure;

14 c. To sue and be sued;

15 d. To acquire in the name of the development authority by
16 purchase or otherwise, on such terms and conditions and such
17 manner as it may deem proper, or by the exercise of the power of
18 eminent domain in the manner provided by the "Eminent Domain
19 Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.), any lands or
20 interests therein or other property which it may determine is
21 reasonably necessary for any school facilities project;

22 e. To enter into contracts with a person upon such terms and
23 conditions as the development authority shall determine to be
24 reasonable, including, but not limited to, for the planning, design,
25 construction, reconstruction, improvement, equipping, furnishing,
26 operation and maintenance of a school facilities project and the
27 reimbursement thereof, and to pay or compromise any claims
28 arising therefrom;

29 f. To sell, convey or lease to any person all or any portion of
30 its property, for such consideration and upon such terms as the
31 development authority may determine to be reasonable;

32 g. To mortgage, pledge or assign or otherwise encumber all or
33 any portion of any property or revenues, whenever it shall find such
34 action to be in furtherance of the purposes of P.L.2000, c.72
35 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

36 h. To grant options to purchase or renew a lease for any of its
37 property on such terms as the development authority may determine
38 to be reasonable;

39 i. To contract for and to accept any gifts or grants or loans of
40 funds or property or financial or other aid in any form from the
41 United States of America or any agency or instrumentality thereof,
42 or from the State or any agency, instrumentality or political
43 subdivision thereof, or from any other source and to comply,
44 subject to the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) 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 P.L.2007, c.137 (C.52:18A-235 et al.), with the terms and
2 conditions thereof;
- 3 j. In connection with any application for assistance under
4 P.L.2000, c.72 (C.18A:7G-1 et al.) or P.L.2007, c.137 (C.52:18A-
5 235 et al.) or commitments therefor, to require and collect such fees
6 and charges as the development authority shall determine to be
7 reasonable;
- 8 k. To adopt, amend and repeal regulations to carry out the
9 provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) and P.L.2007,
10 c.137 (C.52:18A-235 et al.);
- 11 l. To acquire, purchase, manage and operate, hold and dispose
12 of real and personal property or interests therein, take assignments
13 of rentals and leases and make and enter into all contracts, leases,
14 agreements and arrangements necessary or incidental to the
15 performance of its duties;
- 16 m. To purchase, acquire and take assignments of notes,
17 mortgages and other forms of security and evidences of
18 indebtedness;
- 19 n. To purchase, acquire, attach, seize, accept or take title to any
20 property by conveyance or by foreclosure, and sell, lease, manage
21 or operate any property for a use specified in P.L.2000, c.72
22 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);
- 23 o. To employ consulting engineers, architects, attorneys, real
24 estate counselors, appraisers, and such other consultants and
25 employees as may be required in the judgment of the development
26 authority to carry out the purposes of P.L.2000, c.72 (C.18A:7G-1
27 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.) and to fix and pay
28 their compensation from funds available to the development
29 authority therefor, all without regard to the provisions of Title 11A
30 of the New Jersey Statutes; except that the Civil Service
31 Commission shall exercise authority over human resource
32 management for such employees, which shall include, but not be
33 limited to, the process for hiring the employees and terminating
34 their employment, and orienting, training, counseling, and
35 appraising the employees, and pursuant to which authority the Civil
36 Service Commission shall adopt regulations in accordance with the
37 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
38 seq.);
- 39 p. To do and perform any acts and things authorized by
40 P.L.2000, c.72 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-
41 235 et al.) under, through or by means of its own officers, agents
42 and employees, or by contract with any person;
- 43 q. To procure insurance against any losses in connection with
44 its property, operations or assets in such amounts and from such
45 insurers as it deems desirable;
- 46 r. To do any and all things necessary or convenient to carry out
47 its purposes and exercise the powers given and granted in P.L.2000,
48 c.72 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

s. To construct, reconstruct, rehabilitate, improve, alter, equip, maintain or repair or provide for the construction, reconstruction, improvement, alteration, equipping or maintenance or repair of any property and lot, award and enter into construction contracts, purchase orders and other contracts with respect thereto, upon such terms and conditions as the development authority shall determine to be reasonable, including, but not limited to, reimbursement for the planning, designing, construction, reconstruction, improvement, equipping, furnishing, operation and maintenance of any such property and the settlement of any claims arising therefrom;

t. To undertake school facilities projects and to enter into agreements or contracts, execute instruments, and do and perform all acts or things necessary, convenient or desirable for the purposes of the development authority to carry out any power expressly provided pursuant to P.L.2000, c.72 (C.18A:7G-1 et al.) or P.L.2007, c.137 (C.52:18A-235 et al.), including, but not limited to, entering into contracts with the State Treasurer, the New Jersey Economic Development Authority, the Commissioner of Education, districts, and any other entity which may be required in order to carry out the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) or P.L.2007, c.137 (C.52:18A-235 et al.);

u. To enter into leases, rentals or other disposition of a real property interest in and of any school facilities project to or from any local unit pursuant to P.L.2000, c.72 (C.18A:7G-1 et al.) or P.L.2007, c.137 (C.52:18A-235 et al.);

v. To make and contract to make loans or leases to local units to finance the cost of school facilities projects and to acquire and contract to acquire bonds, notes or other obligations issued or to be issued by local units to evidence the loans or leases, all in accordance with the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.) and P.L.2007, c.137 (C.52:18A-235 et al.);

w. To charge to and collect from local units, the State, and any other person, any fees and charges in connection with the development authority's actions undertaken with respect to school facilities projects including, but not limited to, fees and charges for the development authority's administrative, organization, insurance, operating and other expenses incident to the planning, design, construction and placing into service and maintenance of school facilities projects.

(cf: P.L.2007, c.137, s.4)

2. This act shall take effect on January 1 next following enactment.

STATEMENT

This bill grants authority for human resource management of

1 employees of the New Jersey Schools Development Authority to
2 Civil Service Commission. The bill grants to the Civil Service
3 Commission authority over the process for hiring the employees
4 and for terminating their employment, and orienting, training,
5 counseling, and appraising the employees.