SENATE, No. 1952

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Senator RICHARD J. CODEY
District 27 (Essex and Morris)

SYNOPSIS

Grants subpoena power to Office of Inspector General at Port Authority of New York and New Jersey in furtherance of investigations.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning oversight of the Port Authority of New York and New Jersey and supplementing chapter 1 of Title 32 of the Revised Statutes.

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

1. The Legislature finds and declares that:

a. The Port Authority's Office of the Inspector General was established as an independent office in August 1992 with the mission to enhance and defend the integrity of the Port Authority's programs and operations. To accomplish this mission, the office detects, receives, and investigates allegations of fraud, corruption, waste, and abuse with respect to employees, or other individuals or organizations doing business with the Port Authority, who attempt to corrupt or unlawfully interfere with Port Authority operations.

b. In order to facilitate the office's mission, there is a need to empower the Office of the Inspector General to issue subpoenas to compel attendance and testimony of persons and the production of books, papers, correspondence, and other documents in furtherance of investigations concerning allegations of fraud, corruption, waste, and abuse.

2. In furtherance of investigations of allegations of fraud, corruption, waste, and abuse, the Office of the Inspector General of the Port Authority of New York and New Jersey shall have the power to issue subpoenas to compel attendance and testimony of persons and the production of books, papers, correspondence, and other documents. For this purpose, the Office of the Inspector General is empowered to administer oaths and examine witnesses under oath, and compel any person to produce at a specific time and place, by subpoena, any books, papers, correspondence, and other documents that the office reasonably believes may relate to the matter. If any person to whom a subpoena is issued fails to appear or, having appeared, refuses to give testimony, or fails to produce the books, papers, correspondence, and other documents, the office may apply to the Superior Court and the court may order the person to appear and give testimony or produce the books, papers, correspondence, and other documents as applicable. Failure to obey the court's order may be punishable as contempt of court.

3. This act shall take effect immediately, but shall remain inoperative until the enactment into law of legislation substantially similar to P.L. c. (C.) (pending before the Legislature as this bill) by the state of New York, but if such legislation shall have been enacted prior to the enactment of this act, this act shall take effect immediately.

STATEMENT

This bill empowers the Office of the Inspector General (office) of the Port Authority of New York and New Jersey to issue subpoenas to compel attendance and testimony of persons and the production of books, papers, correspondence, and other documents in its investigations of allegations of fraud, corruption, waste, and abuse.

Under the bill, the office may administer oaths and examine witnesses under oath, and compel any person to produce at a specific time and place, by subpoena, any books, papers, correspondence, and other documents that the office reasonably believes may relate to the matter. If any person to whom a subpoena is issued fails to appear or, having appeared, refuses to give testimony, or fails to produce the books, papers, correspondence, and other documents required, the office may apply to the Superior Court and the court may order the person to appear and give testimony or produce the books, papers, correspondence, and other documents as applicable. Failure to obey the court's order may be punishable as contempt of court.

The bill will not take effect until the enactment into law of substantially similar legislation by the state of New York.