

ASSEMBLY BILL NO. 3059
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3059 (First Reprint) with my recommendations.

This bill is the Legislature's second attempt to expand the duties of the Financial Policy Review Board (the "Board") with respect to the State's Annual Capital Transportation Program (the "Program"), and incorporates the provisions of Assembly Bill No. 2288, which I conditionally approved.

As I stated in the conditional approval of Assembly Bill No. 2288, I believe expansion of the Board's oversight responsibility is unnecessary as the Department of Transportation engages in a constant, ongoing review of the Program, and the Legislature reviews the Program each year as part of the budget process. I believe that the Board best serves the taxpayers in its fundamental role as an independent entity that annually reviews and certifies the State's transportation financing. Altering those duties would only impede the Board's ability to discharge that critically important task.

Moreover, the majority of information required under the bill is currently available on the YourMoneyNJ.com and Department of Transportation websites. My Administration is committed to transparent spending of taxpayer dollars and, to that end, established these sites to provide taxpayers with tools to understand public finances and make government accountable. Requiring the Board to establish an additional website to provide this same information is not an effective use of public funds. However, as I recommended previously, in the interest of ensuring that information on State's Annual Capital Transportation Program remains available to taxpayers in future administrations, the bill should be amended to statutorily

require the Department of Transportation to include information on the Program on its website.

Accordingly, I recommend that the bill be amended so that it maintains the Board's current responsibilities and codifies into law the transparency my Administration has brought to the Program.

Therefore, I herewith return Assembly Bill No. 3059 (First Reprint) and recommend that it be amended as follows:

Page 2, Title, Lines 1-2:

Delete "Financial Policy Review Board and amending and supplementing P.L.2006, c.3" and insert "Annual Transportation Capital Program and supplementing Title 27 of the Revised Statutes"

Page 2, Line 6:

Insert new section 1: "1. The Department of Transportation shall provide access to comprehensive information related to the Annual Transportation Capital Program on its website. The information available on the website shall, include, but not be limited to: the Annual Transportation Capital Program and Five-Year Capital Plan; the New Jersey Transportation Trust Fund Authority's financial plan; the Statewide Capital Investment Strategy, the State Transportation Improvement Program; New Jersey Transit Corporation's capital lease financing program; information on contractual payments made to the State or the New Jersey Transportation Trust Fund Authority by the New Jersey Turnpike Authority to fund the Annual Transportation Capital Program; information on contractual payments made to the State or the New Jersey Transportation Trust Fund Authority by the South Jersey Transportation Authority to fund the Annual Transportation Capital Program; information on Port Authority of New York and New Jersey reimbursement for projects in the Annual Transportation Capital Program; information on annual federal reimbursements related to current and prior year Transportation Capital

Program; the use of monies from the General Fund for the New Jersey Transportation Trust Fund as projected in the Annual Transportation Capital Program; the Financial Policy Review Board's State of the Condition of Transportation Financing certification and any corrective active plans related thereto; and any other information that the commissioner deems relevant to providing transparency with regard to the Annual Capital Transportation Program and the financing thereof. Information available on the Department's website related to the Annual Transportation Capital Program shall be updated on a regular basis as may be appropriate, but all information shall be reviewed and updated at least annually."

Page 2, Section 1, Lines 7-45: Delete in their entirety

Page 3, Section 1, Lines 1-48: Delete in their entirety

Page 4, Section 1, Lines 1-48: Delete in their entirety

Page 5, Section 1, Lines 1-11: Delete in their entirety

Page 5, Section 2, Lines 13-27: Delete in their entirety

Page 6, Section 2, Lines 1-14: Delete in their entirety

Page 6, Section 3, Line 16: Delete "immediately Section 2 shall be" and insert "the first day of the seventh month following enactment."

Page 6, Section 3, Lines 17-18: Delete in their entirety

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor