

ASSEMBLY, No. 6

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1952

By Mr. SIMMILL

Referred to Committee on Judiciary

AN ACT to amend the title of "An act to provide additional office building space for the use of the State of New Jersey and departments, agencies, counties, municipalities, and instrumentalities thereof and to establish the State Office Building Authority for that purpose," approved June twenty-sixth, one thousand nine hundred and fifty (P. L. 1950, c. 255), so that the same shall read "An act to provide additional buildings for the use of the State of New Jersey and departments, agencies, and instrumentalities of the State and to establish the State Building Authority for that purpose; authorizing such departments, agencies, and instrumentalities of the State to enter into leases and contracts with the State Building Authority relating to such structures, space, buildings and facilities," and to amend the body of, and to repeal sections fourteen and fifteen of, the said act.

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

**1 1. The title of "An act to provide additional office building space for the
2 use of the State of New Jersey and departments, agencies, counties, munic-
3 ipalities, and instrumentalities thereof and to establish the State Office
4 Building Authority for that purpose," approved June twenty-sixth, one
5 thousand nine hundred and fifty, is amended to read "An act to provide addi-
6 tional buildings for the use of the State of New Jersey and departments,
7 agencies, and instrumentalities of the State, in connection with the conduct of
8 the State's business and functions and of the business and functions of such**

9 departments, agencies, and instrumentalities of the State and to establish
 10 the State Building Authority for that purpose; authorizing such departments,
 11 agencies, and instrumentalities of the State to enter into leases and contracts
 12 with the State Building Authority relating to such structures, space, buildings
 13 and facilities."

1 2. Section one of the act of which this act is amendatory is amended to
 2 read as follows:

3 1. Definitions. As used in this act, the following words and terms shall
 4 have the following meanings, unless the context shall indicate another or
 5 different meaning or intent:

6 a. The word "Authority" shall mean the State [Office] Building Au-
 7 thority created by section two of this act.

8 b. The word "project" shall mean any [office] building or [office]
 9 buildings acquired, leased, constructed or improved by the Authority pur-
 10 suant to the provisions of this act and all property constituting the same,
 11 and shall include all structures and parking facilities and other appurte-
 12 nances and facilities together with all property rights, easements and in-
 13 terests in property which may be acquired by the Authority for the construc-
 14 tion or improvement of any such project.

15 c. The word "bonds" shall mean bonds of the Authority authorized under
 16 the provisions of this act.

17 d. The word "person" shall mean any person, association, corporation,
 18 State or any agency or subdivision thereof.

19 [e. The word "municipality" shall mean any city of any class, any bor-
 20 ough, village, town, township or any other municipality, other than a county
 21 or a school district.]

22 [f. The word "county" shall mean any county of any class.]

23 [g. The words "governing body" shall mean, in the case of a county,
 24 the board of chosen freeholders and, in the case of a municipality, the com-
 25 mission, council, board or body, by whatever name it may be known, having
 26 charge of the finances of the municipality.]

27 [h. The words "municipal ordinance" shall mean a written act of the
 28 governing body of a municipality adopted and otherwise approved and pub-
 29 lished in the manner or mode or procedure prescribed for ordinances tending
 30 to obligate such municipality pecuniarily.]

31 [i. The words "county resolution" shall mean a written act of the gov-
 32 erning body of a county, adopted and otherwise approved in the manner or
 33 mode or procedure prescribed for resolutions tending to obligate such
 34 county pecuniarily.]

1 3. Section two of the act of which this act is amendatory is amended to
 2 read as follows:

3 2. Creation of Authority. There is hereby created and established in the
 4 Department of the Treasury, a body corporate and politic with corporate
 5 succession, to be known as the "State [Office] Building Authority." The
 6 Authority is hereby constituted an instrumentality exercising public and es-
 7 sential governmental functions, and the exercise by the Authority of the
 8 powers conferred by this act shall be deemed and held to be an essential
 9 governmental function of the State.

1 4. Section eleven of the act of which this act is amendatory is amended to
 2 read as follows:

3 11. Additional powers. The Authority shall have power in particular:

4 a. to acquire, construct, maintain, equip, furnish, repair and operate a
 5 project or projects;

6 b. to lease any project or part thereof, to contract for the use of any
 7 space in any project and to contract for services to be rendered by the
 8 Authority in connection with any project but such leases shall be only to, and
 9 such contracts only with, the State or any departments, agencies, [counties,
 10 municipalities] and instrumentalities [thereof;] of the State;

11 c. to establish, alter, charge and collect rents and other charges for the
 12 use of any project or part thereof or for any services rendered by the Au-
 13 thority in connection therewith at reasonable rates to be determined by the
 14 Authority for the purpose of providing for the payment of the expenses of

15 the Authority, the construction, improvement, repair, equipping, furnish-
16 ing, maintaining and operation of its facilities and properties; the payment
17 of the principal of and interest on its obligations and to fulfill the terms and
18 provisions of any agreements made with the purchasers or holders of any
19 such obligations;

20 d. to establish rules and regulations for the use of any project.

1 5. Section twelve of the act of which this act is amendatory is amended
2 to read as follows:

3 12. Power of [counties and municipalities] departments, agencies, and
4 instrumentalities of the State to contract with the Authority. Any [county
5 by county resolution and any municipality by municipal ordinance] depart-
6 ment or agency and any instrumentality of the State by proper resolution
7 or act, or acting by or through its director or other chief executive officer,
8 may enter into any lease with the Authority for any project or part thereof,
9 or any contract with the Authority for the use of any space in any project, or
10 any contract with the Authority for the services to be rendered by the
11 Authority in connection with any project, for such period of time, specified or
12 unlimited, and upon such terms and conditions as are deemed necessary in
13 order to provide the space or service contemplated by such lease or contract.
14 Any such lease or contract may provide for the payment by the [county or
15 the municipality] department, agency, or instrumentality of the State, of
16 any rents or other charges to the Authority and may be made for a specified
17 or an unlimited time and on any terms and conditions which may be ap-
18 proved by the [county or the municipality] department, agency, or instru-
19 mentality of the State, and which may be agreed to by the Authority. Such
20 [county or municipality] department, agency or instrumentality of the State
21 is hereby authorized and directed to do and perform any and all acts or
22 things necessary, convenient or desirable to carry out and perform every such
23 contract and to provide for the payment or discharge of any obligation
24 thereunder in the same manner as other obligations of such [county or mu-

25 nicipality] department, agency, or instrumentality of the State. Any such
26 contract shall be valid and binding upon the [county or municipality] de-
27 partment, agency, or instrumentality of the State, notwithstanding that no
28 appropriation was made or provided to cover the cost or estimated cost of
29 the contract.

1 6. Section fourteen of the act of which this act is amendatory is hereby
2 repealed.

1 7. Section fifteen of the act of which this act is amendatory is hereby
2 repealed.

1 8. Section twenty-nine of the act of which this act is amendatory is
2 amended to read as follows:

3 29. Short title. This act shall be known as, and may be cited as, the
4 "State [Office] Building Authority Act of 1950."

1 9. Effective date. This act shall take effect immediately.

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AN ACT to amend the title of "An act to provide additional office building space for the use of the State of New Jersey and departments, agencies, counties, municipalities, and instrumentalities thereof and to establish the State Office Building Authority for that purpose," approved June twenty-sixth, one thousand nine hundred and fifty (P. L. 1950, c. 255), so that the same shall read "An act to provide additional buildings for the use of the State of New Jersey and departments, agencies, and instrumentalities of the State, in connection with the conduct of the State's business and functions and of the business and functions of such departments, agencies, and instrumentalities of the State, and to establish the State Building Authority for that purpose; authorizing such departments, agencies, and instrumentalities of the State to enter into leases and contracts with the State Building Authority relating to such structures, space, buildings and facilities," and to amend the body of, and to repeal sections fourteen and fifteen of, the said act.

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

1 1. The title of "An act to provide additional office building space for the
2 use of the State of New Jersey and departments, agencies, counties, munic-
3 ipalities, and instrumentalities thereof and to establish the State Office
4 Building Authority for that purpose," approved June twenty-sixth, one
5 thousand nine hundred and fifty, is amended to read "An act to provide addi-

6 tional buildings for the use of the State of New Jersey and departments,
 7 agencies, and instrumentalities of the State, in connection with the conduct of
 8 the State's business and functions and of the business and functions of such
 9 departments, agencies, and instrumentalities of the State and to establish
 10 the State Building Authority for that purpose; authorizing such departments,
 11 agencies, and instrumentalities of the State to enter into leases and contracts
 12 with the State Building Authority relating to such structures, space, buildings
 13 and facilities."

1 2. Section one of the act of which this act is amendatory is amended to
 2 read as follows:

3 1. Definitions. As used in this act, the following words and terms shall
 4 have the following meanings, unless the context shall indicate another or
 5 different meaning or intent:

6 a. The word "Authority" shall mean the State Building Authority cre-
 7 ated by section two of this act.

8 b. The word "project" shall mean any building or buildings referred to
 9 in section three of this act which may be acquired, leased, constructed or
 10 improved by the Authority pursuant to the provisions of this act
 11 and all property constituting the same, and shall include all struc-
 12 tures and parking facilities and other appurtenances and facilities
 13 together with all property rights, easements and interests in prop-
 14 erty which may be acquired by the Authority for the construc-
 15 tion or improvement of any such project.

16 c. The word "bonds" shall mean bonds of the Authority authorized under
 17 the provisions of this act.

18 d. The word "person" shall mean any person, association, corporation,
 19 State or any agency or subdivision thereof.

1 3. Section two of the act of which this act is amendatory is amended to
 2 read as follows:

3 2. Creation of Authority. There is hereby created and established in the
 4 Department of the Treasury, a body corporate and politic with corporate

5 succession, to be known as the "State Building Authority." The Author-
 6 ity is hereby constituted an instrumentality exercising public and es-
 7 sential governmental functions, and the exercise by the Authority of the
 8 powers conferred by this act shall be deemed and held to be an essential
 9 governmental function of the State.

1 4. Section three of the act of which this act is amendatory is amended
 2 to read as follows:

3 3. General Purpose of Authority. The Authority is created for the pur-
 4 pose of acquiring, constructing, maintaining, equipping, furnishing, repair-
 5 ing and operating a State office building in the City of Trenton, an admin-
 6 istrative building or buildings for the use of the offices of the State Depart-
 7 ment of Education on the campus of the New Jersey State Teachers Col-
 8 lege at Trenton, motor vehicle inspection stations at a site or sites specified
 9 by the Director of the Division of Motor Vehicles and approved by the At-
 10 torney-General and the State House Commission, State Police barracks at
 11 a site or sites specified by the Superintendent of State Police and approved
 12 by the Attorney-General and the State House Commission, and housing for
 13 employees of State Institutions operated by the Department of Institutions
 14 and Agencies at a site or sites specified by the Commissioner of Institutions
 15 and Agencies and approved by the State Board of Control of Institutions
 16 and Agencies and the State House Commission. The Authority shall lease or
 17 otherwise contract for the use of space in projects or parts thereof, but such
 18 leases shall be only to, and such contracts only with, the State or any depart-
 19 ments, agencies, and instrumentalities of the State.

1 5. Section eleven of the act of which this act is amendatory is amended to
 2 read as follows:

3 11. Additional powers. The Authority shall have power in particular:

4 a. to acquire, construct, maintain, equip, furnish, repair and operate a
 5 project or projects;

6 b. to lease any project or part thereof, to contract for the use of any
 7 space in any project and to contract for services to be rendered by the

6 tional buildings for the use of the State of New Jersey and departments,
7 agencies, and instrumentalities of the State, in connection with the conduct of
8 the State's business and functions and of the business and functions of such
9 departments, agencies, and instrumentalities of the State and to establish
10 the State Building Authority for that purpose; authorizing such departments,
11 agencies, and instrumentalities of the State to enter into leases and contracts
12 with the State Building Authority relating to such structures, space, buildings
13 and facilities."

1 2. Section one of the act of which this act is amendatory is amended to
2 read as follows:

3 1. Definitions. As used in this act, the following words and terms shall
4 have the following meanings, unless the context shall indicate another or
5 different meaning or intent:

6 a. The word "Authority" shall mean the State Building Authority cre-
7 ated by section two of this act.

8 b. The word "project" shall mean any building or buildings referred to
9 in section three of this act which may be acquired, leased, constructed or
10 improved by the Authority pursuant to the provisions of this act
11 and all property constituting the same, and shall include all struc-
12 tures and parking facilities and other appurtenances and facilities
13 together with all property rights, easements and interests in prop-
13a erty which may be acquired by the Authority for the construc-
14 tion or improvement of any such project.

15 c. The word "bonds" shall mean bonds of the Authority authorized under
16 the provisions of this act.

17 d. The word "person" shall mean any person, association, corporation,
18 State or any agency or subdivision thereof.

1 3. Section two of the act of which this act is amendatory is amended to
2 read as follows:

3 2. Creation of Authority. There is hereby created and established in the
4 Department of the Treasury, a body corporate and politic with corporate

5 succession, to be known as the "State Building Authority." The Author-
6 ity is hereby constituted an instrumentality exercising public and es-
7 sential governmental functions, and the exercise by the Authority of the
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2 to read as follows:

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4 pose of acquiring, constructing, maintaining, equipping, furnishing, repair-
5 ing and operating a State office building in the City of Trenton, an admin-
6 istrative building or buildings for the use of the offices of the State Depart-
7 ment of Education on the campus of the New Jersey State Teachers Col-
8 lege at Trenton, motor vehicle inspection stations at a site or sites specified
9 by the Director of the Division of Motor Vehicles and approved by the At-
10 torney-General and the State House Commission, State Police barracks at
11 a site or sites specified by the Superintendent of State Police and approved
12 by the Attorney-General and the State House Commission, and housing for
13 employees of State Institutions operated by the Department of Institutions
14 and Agencies at a site or sites specified by the Commissioner of Institutions
15 and Agencies and approved by the State Board of Control of Institutions
16 and Agencies and the State House Commission. The Authority shall lease or
17 otherwise contract for the use of space in projects or parts thereof, but such
18 leases shall be only to, and such contracts only with, the State or any depart-
19 ments, agencies, and instrumentalities of the State.

1 5. Section eleven of the act of which this act is amendatory is amended to
2 read as follows:

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5 project or projects;

6 b. to lease any project or part thereof, to contract for the use of any
7 space in any project and to contract for services to be rendered by the

8 Authority in connection with any project but such leases shall be only to, and
9 such contracts only with, the State or any departments, agencies, and in-
10 strumentalities of the State;

11 c. to establish, alter, charge and collect rents and other charges for the
12 use of any project or part thereof or for any services rendered by the Au-
13 thority in connection therewith at reasonable rates to be determined by the
14 Authority for the purpose of providing for the payment of the expenses of
15 the Authority, the construction, improvement, repair, equipping, furnish-
16 ing, maintaining and operation of its facilities and properties; the payment
17 of the principal of and interest on its obligations and to fulfill the terms and
18 provisions of any agreements made with the purchasers or holders of any
19 such obligations;

20 d. to establish rules and regulations for the use of any project.

1 6. Section twelve of the act of which this act is amendatory is amended
2 to read as follows:

3 12. Power of departments, agencies, and instrumentalities of the State to
4 contract with the Authority. Any department or agency and any instru-
5 mentality of the State by proper resolution or act, or acting by or
6 through its director or other chief executive officer, may enter into any
7 lease with the Authority for any project or part thereof, or
8-9 any contract with the Authority for the use of any space in any project, or
10 any contract with the Authority for the services to be rendered by the
11 Authority in connection with any project, for such period of time, specified or
12 unlimited, and upon such terms and conditions as are deemed necessary in
13 order to provide the space or service contemplated by such lease or contract.
14 Any such lease or contract may provide for the payment by the department,
15 agency, or instrumentality of the State, of any rents or other charges to
16 the Authority and may be made for a specified or an unlimited time and on
17 any terms and conditions which may be approved by the department, agency,
18 or instrumentality of the State, and which may be agreed to by the Authority.
19 Such department, agency or instrumentality of the State is hereby authorized

20 and directed to do and perform any and all acts or things necessary, conven-
21 ient or desirable to carry out and perform every such contract and to provide
22 for the payment or discharge of any obligation thereunder in the same man-
23 ner as other obligations of such department, agency, or instrumentality of
24 the State. Any such contract shall be valid and binding upon the depart-
25 ment, agency, or instrumentality of the State, notwithstanding that no
26 appropriation was made or provided to cover the cost or estimated cost of
27 the contract.

1 7. Section fourteen of the act of which this act is amendatory is hereby
2 repealed.

1 8. Section fifteen of the act of which this act is amendatory is hereby
2 repealed.

1 9. Section twenty-nine of the act of which this act is amendatory is
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