

52:18A-196

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 52:18A-196 et seq.

(State
Development &
Redevelopment)

LAWS OF: 1989

CHAPTER: 332

Bill No: A3779

Sponsor(s): Haytaian and others

Date Introduced: October 13, 1988

Committee: Assembly: -----

Senate: Revenue; Finance and Appropriations; State
Government

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: December 19, 1989

Senate: January 4, 1990

Date of Approval: January 12, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: No

Senate: Yes 12-11-89 & 2-23-89

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

(over)

974.90 New Jersey. Legislature. Assembly. Select
R336 Committee on Land Use and Planning.
1988X Public meeting, held
12-22-88. Trenton, 1988

Reports mentioned in statements:

See newspaper clipping attached:

KBG/SLJ

[THIRD REPRINT]
ASSEMBLY, No. 3799

STATE OF NEW JERSEY

INTRODUCED OCTOBER 13, 1988

By Assemblymen HAYTAIAN, ROCCO, Colburn, Stuhltrager,
Penn, Rooney, Kamin, Martin, Loveys, Littell,
LoBiondo, Foy and Marsella

1 AN ACT concerning ²an economic assessment of² the State
2 Development and Redevelopment Plan, supplementing
3 P.L.1985, c.398 (C.52:18A-196 et seq.) and making an
4 appropriation.

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

8 1. The Legislature finds and declares that ²[;];

9 a. There are many concerns associated with the design and
10 implementation of the State Development and Redevelopment
11 Plan (hereafter referred to as the "the Plan"), including:

12 (1) maintaining beneficial growth;

13 (2) improving environmental quality;

14 (3) assuring cost-effective delivery of infrastructure and other
15 public services;

16 (4) improving intergovernmental coordination;

17 (5) preserving the quality of community life; and

18 (6) redeveloping the State's major urban areas.

19 b. Each of these concerns is an important issue for further
20 study and each should serve as a measure of the efficacy of the
21 Plan.

22 c. However, these concerns are not mutually exclusive and,
23 therefore, a balance among them must be achieved to maximize
24 the well being for the State and its residents.²

25 ²[a.] d.² The process of cross-acceptance of the State
26 Development and Redevelopment Plan required under the "State
27 Planning Act," P.L.1985, c.398 (C.52:18A-196 et seq.) ^{1,1} is a
28 process designed to elicit the greatest degree of public
29 participation in order to encourage the development of a
30 consensus among the many, sometimes competing ^{1,1} interests in
31 the State ²[;].²

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted December 12, 1988.

² Senate SSG committee amendments adopted February 23, 1989.

³ Senate SRF committee amendments adopted December 11, 1989.

1 ²[b.] e.² This consensus will be facilitated by the availability
2 of ¹[as much] sufficient¹ information concerning the impact the
3 State Development and Redevelopment Plan may have on
4 particular regions and on¹ the overall economic well-being of
5 the State ²[;].²

6 ²f. The Plan evolves through three phases:

7 (1) the Preliminary Plan, which will serve as the basis for cross
8 acceptance;

9 (2) the Interim Plan, which will reflect the changes occurring
10 during the cross-acceptance process; and

11 (3) the Final Plan, which is to be implemented after approval
12 by the State Planning Commission.

13 g. A two-stage process shall be established to examine the
14 economic, environmental, infrastructure, community life, and
15 intergovernmental coordination impacts of the Plan. This
16 procedure shall consist of an assessment of the impacts of the
17 Interim Plan and an on-going monitoring and evaluation program
18 after the Final Plan is adopted.

19 h. The results of the Assessment Study shall identify desirable
20 changes to be incorporated into the Final Plan. These studies
21 shall describe the impacts of the policies and strategies proposed
22 in the Plan (hereafter referred to as the "Plan" impacts) relative
23 to the impacts that would likely occur without a Plan (hereafter
24 referred to as "Trend" impacts). In examining the impacts of
25 Plan and Trend, any significant regional differences that result
26 shall be identified and analyzed. Where appropriate, the study
27 shall also distinguish short-term and long-term impacts.²

28 ²[c. It is necessary to conduct an economic analysis of that
29 impact and to make that analysis available during plan
30 cross-acceptance ¹[in order to better inform that process] and
31 before the adoption and implementation of the plan¹.]

32 i. It is necessary to conduct an economic assessment of the
33 Plan and Trend impacts and to make the results of that
34 assessment available before adoption of the Final Plan. Work on
35 the development of the evaluation methodology and, where
36 possible, the collection of data for the assessment study shall
37 commence upon enactment of this bill. Some factors that shall
38 be addressed during cross-acceptance include:

39 (1) Changes in property values, including farmland, State and

1 local expenditures and tax revenues, and regulations;

2 (2) Changes in housing supply, housing prices, employment,
3 population and income;

4 (3) Costs of providing the infrastructure systems identified in
5 the State Planning Act;

6 (4) Costs of preserving the natural resources as identified in
7 the State Planning Act;

8 (5) Changes in business climate; and

9 (6) Changes in the agricultural industry and the costs of
10 preserving farmland and open spaces.²

11 ²[2. a. The State Planning Commission shall, within 30 days of
12 the effective date of this act and in consultation with the Office
13 of Economic Policy in the Department of Commerce, Energy, and
14 Economic Development, contract for the performance of an
15 economic analysis of the potential impacts which would result
16 from the implementation of the preliminary State Development
17 and Redevelopment Plan as ¹[adopted] approved¹ by the State
18 Planning Commission.

19 b. The economic analysis shall be conducted by an independent
20 firm or an institution of higher learning which in the judgment of
21 the commission and the Office of Economic Policy is qualified to
22 carry out this analysis and shall be submitted, in the form of a
23 written report, thereby to the commission for distribution to the
24 ¹State and the¹ governing bodies of each county and municipality
25 in the State ¹[prior to the distribution of the final State
26 Development and Redevelopment Plan in accordance with section
27 7 of P.L.1985, c.398 (C.52:18A-202) and, to the maximum extent
28 practicable and feasible, in time for its utilization]¹ during the
29 ¹[cross acceptance] cross-acceptance¹ process ¹and prior to the
30 final adoption of the plan¹.

31 c. Within 14 days of receipt of the economic analysis, a
32 municipal planning board may reconsider any aspect of the plan
33 and notify the county planning board, or the appropriate entity,
34 as identified by the commission pursuant to section 7 of P.L.1985,
35 c.398, that the municipal planning board wishes the county
36 planning board, or other entity, as the case may be, to
37 renegotiate plan cross-acceptance with the commission.

38 (1) This renegotiation process shall not exceed 45 days from
39 the receipt of the economic analysis.

1 (2) If the county planning board ^{1,1} or other entity, as the case
2 may be, denies the request of the municipal planning board to
3 renegotiate plan cross-acceptance, the municipal planning board
4 may file its own report in a manner consistent with section 7 of
5 P.L.1985, c.398.

6 d. The written report containing the economic analysis, and
7 any accompanying material forwarded to the governing bodies for
8 their use in interpreting the data, ¹[if necessary,]¹ shall ¹at that
9 time also¹ be submitted by the commission to the Governor, the
10 Speaker of the General Assembly and the President of the Senate
11 ¹[within 10 days of its transmittal to the governing bodies] for
12 review¹.]

13 2. a. The Office of ³[Sate] State³ Planning in consultation with
14 the Office of Economic Policy, shall utilize the following:

15 (1) Conduct portions of these studies using its own staff;

16 (2) Contract with other State agencies to conduct portions of
17 these studies; and

18 (3) Contract with an independent firm or an institution of
19 higher learning to conduct portions of these studies.

20 b. Any portion of the studies conducted by the Office of State
21 Planning, or any other State agency, shall be subject to review by
22 an independent firm or an institution of higher learning.

23 c. The Assessment Study and the oversight review shall be
24 submitted in the form of a written report to the State Planning
25 Commission for distribution to the Governor, the Legislature and
26 the governing bodies of each county and municipality in the State
27 during the cross-acceptance process and prior to the adoption of
28 the Final Plan.

29 d. A period extending from at least 45 days prior to the first
30 of six public hearings, which are required under the State
31 Planning Act, P.L.1985, c.398 (C.52:18A-196 et seq.), to 30 days
32 following the last public hearing shall be provided for counties
33 and municipalities to review and respond to the studies. Requests
34 for revisions to the Interim Plan shall be considered by the State
35 Planning Commission in the formulation of the Final Plan.²

36 ²[3. The economic analysis shall include the following as it
37 applies to the tiers identified in the plan:

38 a. Estimates of the fiscal requirements ¹[which may be
39 required]¹ of State and local governmental units ¹[as a result of]

1 which will result from¹ the policies and strategies proposed in the
2 plan in relation to those requirements which would obtain without
3 the plan ¹. Such fiscal requirements shall include the required
4 funding for capital projects and other urban improvement
5 measures, including capital costs of major projects, demolition,
6 land banking and improvements of education, safety and
7 environment¹;

8 b. An assessment of the ¹[effect] effects¹ of the plan on
9 property values, personal income, ¹[and]¹ employment, ¹[and]¹
10 State and local tax revenues, ¹labor supply, housing, and business
11 development,¹ and the geographical distribution of economic
12 development within the State;

13 c. ¹[An assessment of the impacts of the plan on labor supply,
14 housing, and business development;

15 d.] ¹Estimates of the economic benefits of the plan in terms of
16 infrastructure cost savings, improved environmental quality,
17 ¹efficient delivery of utility services,¹ and enhanced recreational
18 opportunities;

19 ¹d. Total expenditures required for compensating farmers and
20 other owners for the loss of land and land value;¹ and

21 e. Any other information which may be utilized by local
22 government units and the general public to better measure the
23 impacts of the State Development and Redevelopment Plan.]

24 3. a. The Final Plan shall include the appropriate monitoring
25 variables and plan targets in the economic, environmental,
26 infrastructure, community life, and intergovernmental
27 coordination areas to be evaluated on an on-going basis following
28 adoption of the Final Plan.

29 b. In implementing the monitoring and evaluation program, if
30 Plan targets are not being realized, the State Planning
31 Commission shall evaluate reasons for the occurrences and
32 determine if changes in Plan targets or policies are warranted.

33 c. The Office of State Planning shall include in its annual
34 report results of the on-going monitoring and evaluation program
35 and forward the report to the Governor and the Legislature.²

36 4. There is appropriated to the State Planning Commission
37 from the General Fund the sum of ¹[\$150,000] ³[\$300,000¹]
38 \$200,000³ to cover the cost of contracting for the economic
39 ²[analysis] assessment and monitoring and evaluation studies².

1 5. This act shall take effect immediately.

2

3

4

LAND USE AND PLANNING

5

Economic Development

6

7 Requires an economic assessment of State Development and
8 Redevelopment Plan; appropriates \$200,000.

1 e. Any other information which may be utilized by local
government units and the general public to better measure the
3 impacts of the State Development and Redevelopment Plan.

4. There is appropriated to the State Planning Commission
5 from the General Fund the sum of \$150,000 to cover the cost of
contracting for the economic analysis.

7 5. This act shall take effect immediately.

9

STATEMENT

11

This bill would require the State Planning Commission to
13 contract with an independent firm or institution of higher
learning to conduct an economic analysis of the State
15 Development and Redevelopment Plan. This analysis would
enable local government units and the general public to more
17 adequately assess the likely impacts that the plan would have on
their communities.

19 The analysis would be completed prior to the distribution of the
final plan, thereby requiring its consideration at least during the
21 six public hearings required under section 7 of P.L.1985, c.398
(C.52:18A-202), but to the extent feasible, the analysis could be
23 completed in time for its utilization during the cross-acceptance
process.

25 The analysis would include the following components:

a. Estimates of the fiscal requirements which may be required
27 of State and local governmental units as a result of the policies
and strategies proposed in the plan in relation to those
29 requirements which would obtain without the plan;

b. An assessment of the effect of the plan on property values,
31 personal income, and employment, and State and local tax
revenues, and the geographical distribution of economic
33 development within the State;

c. An assessment of the impacts of the plan in labor supply,
35 housing, and business development;

d. Estimates of the economic benefits of the plan in terms of
37 infrastructure cost savings, improved environmental quality, and
enhanced employment opportunities; and

SENATE STATE GOVERNMENT, FEDERAL
AND INTERSTATE RELATIONS AND
VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 3799

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1989

The Senate State Government, Federal and Interstate Relations and Veterans' Affairs Committee reports favorably and with committee amendments Assembly, No. 3799 (1R).

This bill concerns the State Development and Redevelopment Plan and provides for an assessment of the impacts of the interim plan and for an on-going monitoring and evaluation program after the final plan is adopted. The results of the assessment study shall identify desirable changes to be incorporated into the final plan. These studies shall describe the impacts of the policies and strategies proposed in the plan relative to the impacts that would likely occur without a plan. The bill also specifies factors that shall be addressed during cross-acceptance.

In conducting the studies, the Office of State Planning, in consultation with the Office of Economic Policy, shall: conduct portions of these studies using its own staff; contract with other State agencies to conduct portions of these studies; and contract with an independent firm or an institution of higher education to conduct portions of these studies. Any portion of the studies conducted by the Office of State Planning, or any other State agency, shall be subject to review by an independent firm or an institution of higher learning.

The assessment study and the oversight review shall be submitted in the form of a written report to the State Planning Commission for distribution to the Governor, the Legislature, and the governing bodies of each county and municipality during the cross-acceptance process and prior to the adoption of the final plan. A time period is established for counties and municipalities to review and respond to the studies. Requests for revisions to the interim plan shall be considered by the State Planning Commission in the formulation of the final plan.

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FISCAL IMPACT

This bill, as amended, appropriates \$200,000 from the General Fund to the State Planning Commission for the costs of an economic assessment and monitoring and evaluation studies.

SENATE REVENUE, FINANCE AND
APPROPRIATIONS COMMITTEE

STATEMENT TO

[SECOND REPRINT]

ASSEMBLY, No. 3799

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1989

The Senate Revenue, Finance and Appropriations Committee favorably reports Assembly Bill No. 3799 [2R], with committee amendments.

Assembly Bill No. 3799 [2R], as amended, appropriates \$200,000 to the State Planning Commission to provide for an assessment of the impacts of the interim State Development and Redevelopment Plan and for an on-going monitoring and evaluation program after the final plan is adopted. The results of the assessment study shall identify desirable changes to be incorporated into the final plan. These studies shall describe the impacts of the policies and strategies proposed in the plan relative to the impacts that would likely occur without a plan. The bill also specifies factors that shall be addressed during cross-acceptance.

The assessment study and the oversight review shall be submitted in the form of a written report to the State Planning Commission for distribution to the Governor, the Legislature, and the governing bodies of each county and municipality during the cross-acceptance process and prior to the adoption of the final plan. A time period is established for counties and municipalities to review and respond to the studies. Requests for revisions to the interim plan shall be considered by the State Planning Commission in the formulation of the final plan.

The Office of State Planning shall include in its annual report results of the on-going monitoring and evaluation program and forward the report to the Governor and the Legislature.

This bill, as amended, is identical to Senate Bill No. 3171 [1R], as amended.

COMMITTEE AMENDMENTS

The Committee amendments reduce the appropriation from \$300,000 to \$200,000. The other committee amendment is technical in nature.

The Office of State Planning shall include in its annual report results of the on-going monitoring and evaluation program and forward the report to the Governor and the Legislature.

The bill appropriates \$300,000 to the State Planning Commission to pay for the economic assessment and monitoring and evaluation studies.

COMMITTEE AMENDMENTS

The committee amended the bill to revise and expand the findings and declaration section regarding the plan and the assessment study; to replace section 2 in its entirety with new provisions concerning the conduct, review, and submission of studies; and to replace section 3 in its entirety with new provisions concerning the monitoring and evaluation of the final plan.