

40:55C-6

LEGISLATIVE HISTORY CHECKLIST

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Laws of 1975 Chapter 192

Bill No. A1144

Sponsor(s) Baer

Date Introduced Feb. 4, 1974

Committee: Assembly Municipal Gov't.

Senate County & Municipal Gov't.

Amended during passage Yes Amendments during passage denoted by asterisks

Date of passage: Assembly April 16, 1974

Senate April 28, 1975

Date of approval August 16, 1975

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly No

Senate Yes

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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ASSEMBLY, No. 1144

STATE OF NEW JERSEY

By Assemblyman BAER

INTRODUCED FEBRUARY 4, 1974

Referred to Committee on Municipal Government

AN ACT to amend the "Redevelopment Agencies Law," approved
June 14, 1949 (P. L. 1949, c. 306).

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

1 1. Section 6 of P. L. 1949, c. 306 (C. 40:55C-6) is amended to
2 read as follows:

3 6. Any governing body may by ordinance create a body corporate
4 and politic to be known as the "..... Redevelopment Agency,"
5 inserting the name of the municipality creating such agency.
6 Such agency shall be an instrumentality of the municipality creat-
7 ing it. Thereupon the governing body shall appoint [five] **[six
8 persons as]** **five** commissioners of the agency **and the
9 mayor shall appoint one commissioner of the agency**. The com-
10 missioners who are first appointed **[by the governing body]**
11 shall be designated to serve [one for 1 year, one for 2 years, one
12 for 3 years, one for 4 years, and one for 5 years,] *for the following*
13 *terms: one for a term of 1 year, one for a term of 2 years, one for a*
14 *term of 3 years, one for a term of 4 years, and two for terms of 5*
15 *years and until their respective successors are appointed and have*
16 *qualified.*

17 *The **[governing body]** **mayor** of a municipality which*
18 *has heretofore created a redevelopment agency consisting of five*
18A *members appointed by the governing body**,** shall forthwith*
18B *appoint one additional commissioner for a 5-year term.*

19 Thereafter each commissioner shall be appointed as aforesaid
20 for a term of 5 years, and until his successor is appointed and has
21 qualified. Any vacancy occurring in the office of commissioner,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

22 from any cause, shall be filled in the same manner as the original
23 appointment, but for the unexpired term only.

24 The governing body of two or more municipalities may, by simi-
25 lar ordinances, create a public body corporate and politic to be
26 known as "..... Regional Development Agency" with such
27 additional designation as may be provided in such ordinances. Such
28 regional agency shall constitute an instrumentality of the munici-
29 palities creating. Each such governing body shall appoint two
30 persons as commissioners of the regional agency so created, one to
31 serve for a term of 3 years and one to serve for a term of 5 years,
32 and until their successors have been appointed and have qualified.
33 Thereafter each commissioner shall be appointed as aforesaid for
34 a term of 5 years and until his successor is appointed and has quali-
35 fied. The governing body of the municipality which has the greatest
36 population of any of the municipalities creating such regional
37 agency shall appoint one additional person as commissioner of the
38 agency to serve for a term of 5 years and until his successor is ap-
39 pointed and has qualified. Any vacancy occurring in the office of
40 commissioner, from any cause, shall be filled in the same manner as
41 the original appointment but for the unexpired term only.

42 Upon the creation of any such agency, the municipality or
43 municipalities creating the same shall, in writing, notify the Com-
44 missioner of **[Conservation and Economic Development]** *Com-*
45 *munity Affairs* of the same.

46 In addition to the commissioners hereinabove referred to, each
47 agency shall include one additional commissioner, *in the case of*
48 *a municipal redevelopment agency, and two additional commis-*
49 *sioners in the case of a regional agency* who shall be appointed by
50 the Commissioner of **[Conservation and Economic Development]**
51 *Community Affairs*, subject to the approval of the State Housing
52 Council,] who shall hold office ***[**for a term of 5 years and until **[**his
53 successor is] *their successors are* appointed and **[has]** *have*
54 *qualified]* **at the pleasure of the commissioner**, and who shall be
55 entitled to vote as **[a commissioner]** *commissioners* of the agency
56 and to all other privileges as such **[commissioner]** *commissioners*.
57 Any such additional commissioner may be removed from office
58 **at any time and a new appointment made** by the Commissioner of
59 **[Conservation and Economic Development]** *Community Affairs****[**
60 for inefficiency or neglect of duty or misconduct in office, after public
61 hearing, at which he shall be afforded an opportunity to be heard,
62 either in person or by counsel, and at least 10 days prior to the
63 holding of which he shall be served with a copy of the charges].*

64 Any vacancy occurring in the office of such additional [commis-
65 sioner] *commissioners*, from any cause, shall be filled in the same
66 manner as the original appointment but for the unexpired term
67 only.

1 2. This act shall take effect 30 days after its enactment.

A 1144 (1974)

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STATEMENT

This bill would increase the number of voting members on local redevelopment agencies by one, to the odd number seven. It is a companion to the bill that increases the membership on local housing authorities and has the same objective, i.e., to reduce the potential for deadlocks occasioned by even numbered boards.

Local redevelopment agencies are constituted in substantially the same way as are local housing authorities. As a matter of fact, 29 of the 84 housing authorities are authorized by ordinance to also perform the functions of redevelopment agencies.

This bill would keep consistent the membership composition of the two closely related functional authorities.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1144

[OFFICIAL COPY REPRINT]

with Senate committee amendments

—•—
STATE OF NEW JERSEY
—•—

DATED: DECEMBER 10, 1974

Assembly Bill No. 1144 (OCR):

1. Increases the total number of redevelopment authority commissioners from 6 to 7 members, with the additional member being a citizen member to be appointed by the governing body, as are the other 5 citizen members;
2. Retains the existing requirement that the appointee of the Commissioner of Community Affairs to a redevelopment authority shall serve in such capacity at the pleasure of the commissioner;
3. Provides for the appointment by the commissioner of two members to any regional redevelopment authority, and that such members shall serve at the pleasure of the commissioner; and
4. Clarifies existing statutory language.

The Senate Committee Amendments require that one of the six citizen members of the authority be appointed by the mayor of the municipality creating the authority. In the case of already constituted authorities, this would require that the new or sixth citizen member be appointed by the mayor. The provisions of the amendment would not apply to regional authorities.

The sponsor's statement to the original bill contends that the increase in membership is made necessary by (1) the increased workload of such authorities, and (2) the need to reduce voting deadlocks which are a characteristic of even-numbered bodies.