

55: 14A-31 ET AL.

LEGISLATIVE HISTORY CHECKLIST

NJSA 55:14A-31; 55:14A-34; 55:14A-38

Laws of 1975 Chapter 193

Bill No. A2244

Sponsor(s) Aduato & Others

Date Introduced Dec. 3, 1974

Committee: Assembly Municipal Gov't.

Senate County & Municipal Gov't.

Amended during passage **Yes** **No**

Date of passage: Assembly May 5, 1975

Senate July 14, 1975

Date of approval August 16, 1975

Following statements are attached if available:

Sponsor statement **Yes** **No**

Committee Statement: Assembly **Yes** **No**

Senate **Yes** **No**

Fiscal Note **Yes** **No**

Veto message **Yes** **No**

Message on signing **Yes** **No**

Following were printed:

Reports **Yes** **No**

Hearings **Yes** **No**

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CHAPTER 193 LAWS OF N. J. 19 75
APPROVED 8-16-75
ASSEMBLY, No. 2344

STATE OF NEW JERSEY

INTRODUCED DECEMBER 3, 1974

By Assemblymen ADUBATO, OWENS, CALI, ESPOSITO, BROWN,
GALLO, PERKINS, GREGORIO, D'AMBROSA and CODEY

Referred to Committee on Municipal Government

AN ACT to amend the title of "An act to authorize housing authorities to clear blighted areas and prevent blight; to acquire real property and make it available for redevelopment by private enterprise or by public agencies in accordance with approved redevelopment plans; and to confer necessary powers on housing authorities, cities and other public bodies, and to make obligations issued by housing authorities in connection with redevelopment projects legal investments and security for deposits; to enable the advance preparation of projects so they can provide jobs and stimulate industry when necessary in the period of reconversion; and to authorize the creation of an advisory board to housing authorities composed of representatives of business, real estate, home financing and other interests," approved June 14, 1949 (P. L. 1949, c. 300), so that the same shall read "An act to authorize housing authorities to clear blighted areas and prevent blight; to acquire real property and make it available for redevelopment by private enterprise or by public agencies in accordance with approved redevelopment plans; to initiate and carry out any work or undertaking which a redevelopment agency created pursuant to the Redevelopment Agencies Law is authorized to initiate and carry out; and to confer necessary powers on housing authorities, cities and other public bodies, and to make obligations issued by housing authorities in connection with redevelopment projects legal investments and security for deposits; to enable the advance preparation of projects so they can provide jobs and stimulate industry when necessary in the period of reconversion; and to authorize the creation of an advisory board to housing authorities composed of representatives

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

of business, real estate, home financing and other interests,"
and to amend the body of said act.

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

1 1. The title of P. L. 1949, c. 300 is amended to read as follows:
2 An act to authorize housing authorities to clear blighted areas
3 and prevent blight; to acquire real property and make it available
4 for redevelopment by private enterprise or by public agencies in
5 accordance with approved redevelopment plans; *to initiate and*
6 *carry out any work or undertaking which a redevelopment agency*
7 *created pursuant to the Redevelopment Agencies Law is authorized*
8 *to initiate and carry out;* and to confer necessary powers on hous-
9 ing authorities, cities and other public bodies, and to make
10 obligations issued by housing authorities in connection with re-
11 development projects legal investments and security for deposits;
12 to enable the advance preparation of projects so they can provide
13 jobs and stimulate industry when necessary in the period of re-
14 conversion; and to authorize the creation of an advisory board to
15 housing authorities composed of representatives of business, real
16 estate, home financing and other interests.

1 2. Section 4 of P. L. 1949, c. 300 (C. 55:14A-34) is amended to
2 read as follows:

3 4. Any housing authority now or hereafter established pursuant
4 to the Local Housing Authorities Law and any amendments thereto,
5 may, when authorized by ordinance of the governing body of the
6 municipality, which said governing body is hereby authorized to
7 adopt, initiate and carry out any work or undertaking (hereafter
8 called a "redevelopment project") **[:]**

9. **[(1)** To make surveys and prepare redevelopment plans; and
10 acquire blighted areas, as herein defined;

11 (2) To acquire other real property for the purpose of removing,
12 preventing or reducing blight, blighting factors or the causes of
13 blight;

14 (3) To acquire real property where the acquisition of the area
15 by the authority is necessary to carry out a redevelopment plan;

16 (4) To clear any areas acquired and install, construct, or recon-
17 struct streets, utilities, and site improvements essential to the
18 preparation of sites for uses in accordance with the redevelopment
19 plan;

20 (5) To sell or lease land so acquired for uses in accordance with
21 the redevelopment plan; or

22 (6) To accomplish a combination of the foregoing to carry out
23 a redevelopment plan.]

24 *which a redevelopment agency created pursuant to the Redevel-*
25 *ment Law is authorized to initiate and carry out. In initiating and*
26 *carrying out such redevelopment projects, the local housing au-*
27 *thority so designated may exercise any and all powers conferred*
28 *on redevelopment agencies by said Redevelopment Agencies Law*
29 *(P. L. 1949, c. 306, C. 40:55C-1 et seq.) or any other law.*

1 3. Section 8 of P. L. 1949, c. 300 (C. 55:14A-38) is amended to
2 read as follows:

3 8. In undertaking such redevelopment projects a housing au-
4 thority shall have the rights, powers, privileges and immunities
5 that such authority has under the Local Housing Authorities Law,
6 *the Redevelopment Agencies Law (P. L. 1949, c. 306, C. 40:55C-1*
7 *et seq.), and any other provision of law relating to redevelopment*
8 *projects and any other provision of law relating to slum clearance*
9 *and housing projects for persons of low income (including, with-*
10 *out limiting the generality of the foregoing, the power to make*
11 *and execute contracts, to issue bonds and other obligations and*
12 *give security therefor, to acquire real property by eminent domain*
13 *or purchase, and to do any and all things necessary to carry out*
14 *projects) in the same manner as though all the provisions of law*
15 *applicable to slum clearance and housing projects were applicable*
16 *to redevelopment projects undertaken under this act; provided,*
17 *however, that the power to acquire real property by eminent do-*
18 *main conferred upon any housing authority shall not be exercised*
19 *to acquire any property or interest in property owned or used by*
20 *any public utility (as defined in R. S. 48:2-13) in furnishing any*
21 *commodity or service which by law it is authorized to furnish;*
22 *and provided further, that nothing contained in section 55:14A-8*
23 *added to the Revised Statutes by P. L. 1938, c. 19 shall be con-*
24 *strued as limiting the power of an authority, in the event of a*
25 *default by a purchaser or lessee of land in a redevelopment plan,*
26 *to acquire property and operate it free from the restrictions con-*
27 *tained in said sections.*

1 4. This act shall take effect immediately.

STATEMENT

This bill will eliminate a deficiency in the powers conferred on a local housing authority when acting as the agency designated to undertake redevelopment projects in blighted areas, other than low-cost housing projects.

In 1949 the New Jersey Legislature enacted three laws designed to aid municipalities in the redevelopment of blighted areas within the municipality:

The Redevelopment Agencies Law (P. L. 1949, c. 306; C. 40:55C-1, et seq.).

An act authorizing the local housing authorities to carry out redevelopment plans (P. L. 1949, c. 300; C. 55:14A-31, et seq.).

The Blighted Area Act (P. L. 1949, c. 187; C. 40:55-21.1, et seq.).

Under these laws, a municipality may create a redevelopment agency or it may designate the local housing authority to redevelop blighted areas. In order to prevent duplication of operation by two governing agencies in the same municipality, the laws provide that, if a municipality creates a redevelopment agency, it cannot designate the local housing authority as the redevelopment agency and that, if a municipality designates the local housing authority to do redevelopment work, it cannot create a redevelopment agency for this purpose.

However, in specifying the powers conferred on a local housing authority acting as a redevelopment agency, the Legislature used language that gives less power to the local housing authority than to a redevelopment agency acting in that capacity. This bill will enable a local housing authority to exercise the same powers as a redevelopment agency with regard to redevelopment projects.

SENATE
STATEMENT TO

ASSEMBLY, No. 2344

STATE OF NEW JERSEY

DATED: JUNE 23, 1975

Assembly Bill 2344 clarifies the provisions of present law so as to clearly assert the fact that any housing authority designated to undertake redevelopment work shall have all of the powers granted to redevelopment agencies by the Redevelopment Agencies Law (P. L. 1949, c. 306, C. 40:55C-1 et seq.) or any other applicable law.