

55:14A-41

September 4, 1970

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LEGISLATIVE HISTORY OF R.S. 55:14A-41
(Public utilities in redevelopment project -
responsibility of housing authority and purchaser)

No similar bills introduced, 1965-1969

L.1969 - Chapt. 209 - S668
Introduced April 2 by Farley

Bill had statement (copy enclosed)
Cond. vote by Governor (copy enclosed)

This bill was listed as "approved" in:
974.905 N.J. League of Municipalities
M95 Legislative bulletin
No. 7, 4-23-69

No clipping were located at:
V.F.--N.J.--Public utilities (1969)

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RSL/AS

CHAPTER 209 LAWS OF N. J. 1969

APPROVED 12-2-69

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SENATE, No. 668

STATE OF NEW JERSEY

INTRODUCED APRIL 2, 1969

By Senator FARLEY

Referred to Committee on County and Municipal Government

AN ACT to amend "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).

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

1 1. Section 11 of P. L. 1949, chapter 300 (C. 55:14A-41) is
2 amended to read as follows:

3 11. The authority may make land in a redevelopment project
4 available for use by private enterprise or public agencies in ac-
5 cordance with the redevelopment plan. Such land may be made
6 available at its use value, which represents the value (whether
7 expressed in terms of rental or capital price) at which the au-
8 thority determines such land should be made available in order
9 that it may be developed or redeveloped for the purposes specified
10 in such plan.

11 To assure that land acquired in a redevelopment project is used
12 in accordance with the redevelopment plan, an authority, upon the
13 sale or lease of such land, shall obligate purchasers or lessees:
14 (1) to use the land for the purpose designated in the redevelopment

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

15 plan; (2) to begin the building of their improvements within a
16 period of time which the authority fixes as reasonable; (3) to
17 comply with such other conditions as are necessary to carry out
18 the purposes of this act; and (4) if as a part of the redevelopment
19 project or in connection therewith any property owned or used by
20 a public utility (as defined in section 48:2-13 of the Revised
21 Statutes) in furnishing any commodity or service which it is
22 authorized by law to furnish, shall be removed, reconstructed,
23 altered or relocated, to pay the cost and expense of the removal,
24 reconstruction, alteration or relocation of such property, including
25 the cost of installing or replacing such property in a new location
26 or new locations, and the cost of any lands or any rights or interests
27 in lands, and any other rights acquired to accomplish such removal,
28 reconstruction, alteration or relocation of such property, less the
29 cost of any lands or any rights or interests in lands or any other
30 rights of the public utility paid to the public utility in connection
31 with removal, reconstruction, alteration or relocation of such
32 property, which cost and expense shall be included in the cost of
33 the redevelopment project. Any such obligations by the purchaser
34 shall be covenants and conditions running with the land where
35 the authority so stipulates.

36 *In the event that as part of the redevelopment project the au-*
37 *thority has agreed to pay for any or all items of expense described*
38 *in section 9 (C. 55:14A-39) hereof and has included the same in the*
39 *cost of the redevelopment project, then the authority and the pur-*
40 *chaser or lessee of the land, shall not be obligated to include the*
41 *cost of such work in any agreement for the sale or lease of the land,*
42 *nor shall the purchaser or lessee be obligated to pay for same. The*
43 *provisions of (4) of this section 11 (C. 55:14A-41) shall, however,*
44 *be applicable with respect to all items of *public utilities reloca-*
45 *tion* expense described ***[therein]*** *in section 9 (C. 55:14A-39)*
46 *and in (4) of this section (C. 55:14A-41) the responsibility* for*
47 *which the authority has not undertaken as part of the redevelop-*
48 *ment project ***[or included in the cost of the redevelopment proj-***
49 *ect]* *and has not assumed in any agreement with the purchaser*
50 *or lessee*.*

1 2. This act shall take effect immediately.

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STATE OF NEW JERSEY

INTRODUCED APRIL 2, 1969

By Senator FARLEY

Referred to Committee on County and Municipal Government

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13 sale or lease of such land, shall obligate purchasers or lessees:
14 (1) to use the land for the purpose designated in the redevelopment
15 plan; (2) to begin the building of their improvements within a

16 period of time which the authority fixes as reasonable; (3) to
 17 comply with such other conditions as are necessary to carry out
 18 the purposes of this act; and (4) if as a part of the redevelopment
 19 project or in connection therewith any property owned or used by
 20 a public utility (as defined in section 48:2-13 of the Revised
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 22 authorized by law to furnish, shall be removed, reconstructed,
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 28 reconstruction, alteration or relocation of such property, less the
 29 cost of any lands or any rights or interests in lands or any other
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 44 *be applicable with respect to all items of expense described therein*
 45 *for which the authority has not undertaken as part of the rede-*
 46 *velopment project or included in the cost of the redevelopment*
 47 *project.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of the amendment is to clarify the provisions of section 9 (C. 55:14A-39) and section 11 (C. 55:14A-41) with respect to the payment of utility work. Both sections refer to such payment and the amendment will spell out specifically the respective responsibility of the housing authority and the purchaser or lessee of land in a redevelopment project as to the payment of the cost of removing, reconstructing, altering or relocating utilities in a redevelopment project.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

November 17, 1969

SENATE BILL NO. 668

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 668, with my objections, for reconsideration.

Senate Bill No. 668 would allow a public housing authority acting as a redevelopment agency in urban renewal to include as part of its costs the cost of the relocation of the facilities of a public utility displaced as a result of a redevelopment plan. Presently, the cost of relocating such a public utility facility must be paid by the developer. This bill would allow the public housing authority, acting as a redevelopment agency, at its option, to absorb such a cost as an additional incentive to attract developers.

Although I find the intent of the bill acceptable, there are some technical errors which should be corrected in order to avoid any misunderstanding.

I therefore recommend the following changes:

1. Page 2, Section 1, Line 44: Insert after the word "of" and before the word "expense" the phrase "public utilities relocation" and after the word "described" delete the word "therein"; and insert in lieu thereof the phrase "in section 9 (C. 55:14A-39) and in (4) of this section (C. 55:14A-41) the responsibility".
2. Page 2, Section 1, Lines 46 and 47: Delete after the word "project" on line 46 the phrase "are included in the cost of the redevelopment project", and insert in lieu thereof the phrase "and has not assumed in any agreement with the purchaser or lessee".

Respectfully,

/s/ Richard J. Hughes

GOVERNOR

Attest:

/s/ Alan J. Karcher

Acting Secretary to the Governor