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LAW

P.L. 2008, CHAPTER 28, *approved June 30, 2008*
Senate, No. 2056 (*First Reprint*)

1 AN ACT concerning the procedural requirements associated with the
2 closure of Fort Monmouth and supplementing P.L.2006, c.16
3 (C.52:27I-1 et seq.).
4

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

8 1. In addition to the powers granted the authority pursuant to
9 section 8 of P.L.2006, c.16 ¹[(C.52:27I-5)] (C.52:27I-8)¹, the
10 authority shall have the power to enter into any legally binding
11 agreements with representatives of the homeless that are necessary
12 in order to 'comply with and' implement the requirements of 32
13 CFR ¹[Part]¹ 176.30 'and 24 CFR 586.30'.
14

15 2. Prior to the submission to the appropriate agency or agencies
16 of the federal government of the comprehensive plan for the
17 conversion and revitalization of Fort Monmouth prepared and
18 adopted by the authority pursuant to section 14 of P.L.2006, c.16
19 (C.52:27I-14), the Governor shall designate an agency with
20 appropriate expertise and experience to assume responsibility for
21 the homeless assistance submission required under the ¹[[Defense
22 Base Closure and Redevelopment Act of 1990, Pub.L 101-510, 10
23 U.S.C. sec.2687] "Defense Base Closure and Realignment Act of
24 1990," Pub.L. 101-510 (10 U.S.C. s.2687)]¹. The power granted to
25 the authority pursuant to section 1 of this act is 'also' hereby
26 ¹[[transferred] granted' to the designated agency ¹[[on the date of
27 the submission to the appropriate agency or agencies of the federal
28 government of the adopted comprehensive plan for the conversion
29 and revitalization of Fort Monmouth in accordance with section 17
30 of P.L.2006, c.16 (C.52:27I-17). Pursuant to that transfer, the] .
31 The' designated agency shall ¹[[assume all of] have' the 'same'
32 rights and responsibilities of the authority under any legally binding
33 agreements with representatives of the homeless to which the
34 authority ¹[[is a party] and the designated agency are parties'.
35 ¹[[Further, the] The' designated agency is authorized, after the
36 submission of the comprehensive 'conversion and revitalization'
37 plan, to ¹[[enter into any new legally binding agreements with

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:

¹Senate SEG committee amendments adopted June 19, 2008.

1 representatives of the homeless that are necessary in order to
2 implement the requirements of 32 CFR Part 176.30] comply with
3 and implement the requirements of 32 CFR 176.30 and 24 CFR
4 586.30. Further, if the authority is dissolved pursuant to subsection g.
5 of section 6 of P.L.2006, c.16 (C.52:27I-6), the designated agency is
6 authorized to assume all rights, responsibilities, and powers of the
7 authority pursuant to section 1 of this act until a successor local
8 redevelopment authority is recognized by the Secretary of Defense as
9 the entity responsible for directing the implementation of the
10 comprehensive conversion and revitalization plan, in the event the
11 designated agency is not proposed to and recognized by the Secretary
12 of Defense as the successor local redevelopment authority¹.

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14 3. This act shall take effect immediately.

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19 Concerns procedural requirements associated with closing of
20 Fort Monmouth.

SENATE, No. 2056

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JUNE 16, 2008

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Concerns procedural requirements associated with closing of Fort Monmouth.

CURRENT VERSION OF TEXT

As introduced.



S2056 SWEENEY

2

1 AN ACT concerning the procedural requirements associated with the
2 closure of Fort Monmouth and supplementing P.L.2006, c.16
3 (C.52:27I-1 et seq.).
4

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

8 1. In addition to the powers granted the authority pursuant to
9 section 8 of P.L.2006, c.16 (C.52:27I-5), the authority shall have
10 the power to enter into any legally binding agreements with
11 representatives of the homeless that are necessary in order to
12 implement the requirements of 32 CFR Part 176.30.
13

14 2. Prior to the submission to the appropriate agency or agencies
15 of the federal government of the comprehensive plan for the
16 conversion and revitalization of Fort Monmouth prepared and
17 adopted by the authority pursuant to section 14 of P.L.2006, c.16
18 (C.52:27I-14), the Governor shall designate an agency with
19 appropriate expertise and experience to assume responsibility for
20 the homeless assistance submission required under the Defense
21 Base Closure and Redevelopment Act of 1990, Pub.L 101-510, 10
22 U.S.C. sec.2687. The power granted to the authority pursuant to
23 section 1 of this act is hereby transferred to the designated agency
24 on the date of the submission to the appropriate agency or agencies
25 of the federal government of the adopted comprehensive plan for
26 the conversion and revitalization of Fort Monmouth in accordance
27 with section 17 of P.L.2006, c.16 (C.52:27I-17). Pursuant to that
28 transfer, the designated agency shall assume all of the rights and
29 responsibilities of the authority under any legally binding
30 agreements with representatives of the homeless to which the
31 authority is a party. Further, the designated agency is authorized,
32 after the submission of the comprehensive plan, to enter into any
33 new legally binding agreements with representatives of the
34 homeless that are necessary in order to implement the requirements
35 of 32 CFR Part 176.30.
36

37 3. This act shall take effect immediately.
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40 STATEMENT
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42 As part of the Base Realignment and Closure process, the federal
43 Department of Housing and Urban Development (HUD) requires
44 that an accommodation for homeless persons be made; this
45 requirement is to be accomplished through an agreement between
46 the designated Local Redevelopment Authority (LRA) (in New
47 Jersey, the Fort Monmouth Economic Revitalization Planning

S2056 SWEENEY

1 Authority, or FMERPA, is the designated LRA) and public or
2 private entities who provide services to homeless persons.

3 When State law creating FMERPA was enacted in 2006, the
4 Legislature limited that authority's power to the development of the
5 reuse plan which must be submitted to the federal Department of
6 Defense and HUD as part of the base closure process. Given that
7 the authority was to be temporary, it was not granted powers to
8 enter into long-term contracts and therefore the type of long-term
9 agreements anticipated under federal law.

10 This bill would grant the authority the power to enter into
11 agreements with representatives of the homeless in order to comply
12 with federal law. This bill would require the Governor to designate
13 an agency, such as the Department of Community Affairs, the New
14 Jersey Housing and Mortgage Finance Agency or the Department of
15 Human Services, to assume such agreements made by the authority
16 and to enter into new agreements with homeless providers that are
17 necessary in order to comply with federal law, after the date of
18 submission of the comprehensive plan to the federal government.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 2056

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2008

The Senate Economic Growth Committee reports favorably Senate Bill, No. 2056 with committee amendments.

This amended bill would grant the power to the Fort Monmouth Economic Revitalization Planning Authority ("the authority") to enter into legally binding agreements with representatives of the homeless that are necessary in order to comply with and implement the requirements of federal regulations. As part of the Base Closure and Realignment Process, the federal Department of Housing and Urban Development (HUD) requires that an accommodation for homeless persons be made. This requirement is to be accomplished through an agreement between the designated Local Redevelopment Authority (LRA) and public or private entities which provide services to homeless persons. In New Jersey, the authority is the designated LRA.

The amended bill further provides that the Governor shall designate an appropriate agency to assume responsibility for the homeless assistance submission, possibly an agency such as the Department of Community Affairs, the New Jersey Housing and Mortgage Finance Agency, or the Department of Human Services. The power granted to the authority with regard to making agreements with representatives of the homeless is also granted to the designated agency. If the authority is dissolved after it submits its conversion and revitalization plan, the designated agency is authorized to comply with and implement the federal requirements and is authorized to assume the rights, responsibilities and powers granted to the authority by the bill, until a successor local redevelopment authority is recognized, if the designated agency is not recognized as the successor local redevelopment authority.

The committee amended the bill to grant the designated agency the same powers as are granted the authority under the bill and to provide for the rights and responsibilities of the designated agency under agreements with representatives of the homeless. The designated agency is also authorized to comply with and implement federal requirements and to assume certain rights, responsibilities and powers in the event of the dissolution of the authority if that should prove necessary. The amendments also make corrections to citations.

ASSEMBLY, No. 3058

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JUNE 19, 2008

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Salem, Cumberland and Gloucester)
Assemblyman GORDON M. JOHNSON
District 37 (Bergen)

SYNOPSIS

Concerns procedural requirements associated with closing of Fort Monmouth.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/20/2008)

1 AN ACT concerning the procedural requirements associated with the
2 closure of Fort Monmouth and supplementing P.L.2006, c.16
3 (C.52:27I-1 et seq.).
4

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

8 1. In addition to the powers granted the authority pursuant to
9 section 8 of P.L.2006, c.16 (C.52:27I-8), the authority shall have
10 the power to enter into any legally binding agreements with
11 representatives of the homeless that are necessary in order to
12 comply with and implement the requirements of 32 CFR 176.30 and
13 24 CFR 586.30.
14

15 2. Prior to the submission to the appropriate agency or agencies
16 of the federal government of the comprehensive plan for the
17 conversion and revitalization of Fort Monmouth prepared and
18 adopted by the authority pursuant to section 14 of P.L.2006, c.16
19 (C.52:27I-14), the Governor shall designate an agency with
20 appropriate expertise and experience to assume responsibility for
21 the homeless assistance submission required under the "Defense
22 Base Closure and Realignment Act of 1990," Pub.L 101-510 (10
23 U.S.C. s.2687). The power granted to the authority pursuant to
24 section 1 of this act is also hereby granted to the designated agency.
25 The designated agency shall have the same rights and
26 responsibilities of the authority under any legally binding
27 agreements with representatives of the homeless to which the
28 authority and the designated agency are parties. The designated
29 agency is authorized, after the submission of the comprehensive
30 conversion and revitalization plan, to comply with and implement
31 the requirements of 32 CFR 176.30 and 24 CFR 586.30. Further, if
32 the authority is dissolved pursuant to subsection g. of section 6 of
33 P.L.2006, c.16 (C.52:27I-6), the designated agency is authorized to
34 assume all rights, responsibilities, and powers of the authority
35 pursuant to section 1 of this act until a successor local
36 redevelopment authority is recognized by the Secretary of Defense
37 as the entity responsible for directing the implementation of the
38 comprehensive conversion and revitalization plan, in the event the
39 designated agency is not proposed to and recognized by the
40 Secretary of Defense as the successor local redevelopment
41 authority.
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43 3. This act shall take effect immediately.

STATEMENT

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This bill would grant the power to the Fort Monmouth Economic Revitalization Planning Authority ("the authority") to enter into legally binding agreements with representatives of the homeless that are necessary in order to comply with and implement the requirements of federal regulations. As part of the Base Realignment and Closure Process, the federal Department of Housing and Urban Development (HUD) requires that an accommodation for homeless persons be made. This requirement is to be accomplished through an agreement between the designated Local Redevelopment Authority (LRA) (in New Jersey, the authority is the designated LRA) and public or private entities which provide services to homeless persons.

The bill further provides that the Governor shall designate an appropriate agency to assume responsibility for the homeless assistance submission, possibly such an agency such as the Department of Community Affairs, the New Jersey Housing and Mortgage Finance Agency or the Department of Human Services. The power granted to the authority with regard to making agreements with representatives of the homeless is also granted to the designated agency. After the authority submits its conversion and revitalization plan, the designated agency is authorized to comply with and implement the federal requirements and is authorized to assume all rights, responsibilities, and powers granted to the authority by the bill, in the event the authority is dissolved, until a successor local redevelopment authority is recognized, in the event that the designated agency is not recognized as the successor local redevelopment authority.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3058

STATE OF NEW JERSEY

DATED: JUNE 19, 2008

The Assembly Budget Committee reports favorably Assembly Bill No. 3058.

Assembly Bill No. 3058 grants the power to the Fort Monmouth Economic Revitalization Planning Authority ("the authority") to enter into legally binding agreements with representatives of the homeless that are necessary in order to comply with and implement the requirements of federal regulations. As part of the Base Realignment and Closure Process, the federal Department of Housing and Urban Development (HUD) requires that an accommodation for homeless persons be made. This requirement is to be accomplished through an agreement between the designated Local Redevelopment Authority (LRA) (in New Jersey, the authority is the designated LRA) and public or private entities which provide services to homeless persons.

The bill requires the Governor to designate an appropriate agency to assume responsibility for the homeless assistance submission, possibly such an agency such as the Department of Community Affairs, the New Jersey Housing and Mortgage Finance Agency or the Department of Human Services. The bill also grants to the designated agency the power granted to the authority with regard to making agreements with representatives of the homeless. After the authority submits its conversion and revitalization plan, the designated agency is authorized to comply with and implement the federal requirements and is authorized to assume all rights, responsibilities, and powers granted to the authority by the bill, if the authority is dissolved, until a successor local redevelopment authority is recognized, if the designated agency is not recognized as the successor local redevelopment authority.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note.