

40:14A-8.1

LEGISLATIVE HISTORY CHECKLIST  
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(Sewerage or  
utilities  
authorities--negotiation  
of host  
community  
benefits)

LAWS OF: 1991

CHAPTER: 266

Bill No: A4667

Sponsor(s): Roberts and Bryant

Date Introduced: April 8, 1991

Committee: Assembly Municipal Government

Senate: ----

Amended during passage: No

Date of Passage: Assembly: June 10, 1991

Senate: June 24, 1991

Date of Approval: August 16, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: No

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

P.L.1991, CHAPTER 266, *approved August 16, 1991*  
1991 Assembly No. 4667

1 AN ACT permitting negotiation of a host community benefit  
2 between certain municipalities and certain authorities, and  
3 supplementing chapter 14A and chapter 14B of Title 40 of the  
4 Revised Statutes.

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

8 1.a. As used in this act:

9 "Residential property" means any building or part of a building  
10 used, to be used or held for use as a home or residence, together  
11 with the land upon which it is situate. A residential property  
12 shall include single family dwellings, multifamily dwellings as  
13 defined under subsection (k) of section 3 of the "Hotel and  
14 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), and  
15 other rental unit property, and individual residences within a  
16 horizontal property regime as defined pursuant to the "Horizontal  
17 Property Act," P.L.1963, c.168 (C.46:8A-1 et seq.), or a  
18 condominium as defined pursuant to the "Condominium Act,"  
19 P.L.1969, c.257 (C.46:8B-1 et seq.), units in a cooperative, and  
20 units in a mutual housing corporation;

21 "Cooperative" means a housing corporation or association  
22 which entitles the holder of a share or membership interest  
23 thereof to possess and occupy for dwelling purposes a house,  
24 apartment, manufactured or mobile home or other unit of housing  
25 owned or leased by the corporation or association, or to lease or  
26 purchase a unit of housing constructed or to be constructed by  
27 the corporation or association;

28 "Mutual housing corporation" means a corporation  
29 not-for-profit, incorporated under the laws of this State on a  
30 mutual or cooperative basis within the scope of section 607 of the  
31 "National Defense Housing Act", Pub. L. 76-849, (42 U.S.C. 1521  
32 et seq.), as amended, which acquired a National Defense Housing  
33 Project pursuant to that act;

34 "Qualified resident" means a person who owns, rents or  
35 occupies residential property;

36 "Qualified entity" means a building or facility which is owned  
37 and used by:

38 (1) a public or private school, university, college or seminary  
39 for either classroom space or administrative office space;

40 (2) a church, synagogue or temple for holding religious  
41 services, or which is used to house church-, synagogue- or  
42 temple- related personnel;

43 (3) a clinic or hospital, including a residential building which is

1 used to house personnel who are employed by the clinic or  
2 hospital;

3 (4) a non-profit organization which operates under the  
4 provisions of Title 15A of the New Jersey Statutes, for the  
5 purposes for which the organization was created, or for  
6 administrative office space; or

7 (5) a business which has less than 10 full-time employees.

8 b. A city of the second class with a population of more than  
9 80,000 but less than 88,000 according to the latest federal  
10 decennial census, located in a county of the second class with a  
11 population of more than 455,000 but less than 510,000 according  
12 to the latest federal decennial census, and a county or municipal  
13 sewerage authority whose operations plant is located within the  
14 city's boundaries may negotiate a host community benefit for  
15 qualified residents and qualified entities within the city. The  
16 benefit shall be provided as a credit against the individual  
17 accounts of the qualified resident or entity, and the county or  
18 municipal sewerage authority and the city shall negotiate the  
19 amount of the benefit. Upon agreement of the parties, the  
20 governing body of the city shall adopt an ordinance setting forth  
21 the specific requirements under the agreement. In cases in which  
22 a qualified resident is not billed directly for the county or  
23 municipal sewerage authority's services, the city shall, as part of  
24 the ordinance setting forth the specific requirements of the  
25 agreement, establish procedures under which the owner of the  
26 appropriate property shall insure that the qualified resident is  
27 compensated for the amount of the credit.

28 2. a. As used in this section:

29 "Residential property" means any building or part of a building  
30 used, to be used or held for use as a home or residence, together  
31 with the land upon which it is situate. A residential property  
32 shall include single family dwellings, multifamily dwellings as  
33 defined under subsection (k) of section 3 of the "Hotel and  
34 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), and  
35 other rental unit property, and individual residences within a  
36 horizontal property regime as defined pursuant to the "Horizontal  
37 Property Act," P.L.1963, c.168 (C.46:8A-1 et seq.), or a  
38 condominium as defined pursuant to the "Condominium Act,"  
39 P.L.1969, c.257 (C.46:8B-1 et seq.), units in a cooperative, and  
40 units in a mutual housing corporation;

41 "Cooperative" means a housing corporation or association  
42 which entitles the holder of a share or membership interest  
43 thereof to possess and occupy for dwelling purposes a house,  
44 apartment, manufactured or mobile home or other unit of housing  
45 owned or leased by the corporation or association, or to lease or  
46 purchase a unit of housing constructed or to be constructed by  
47 the corporation or association;

48 "Mutual housing corporation" means a corporation  
49 not-for-profit, incorporated under the laws of this State on a  
50 mutual or cooperative basis within the scope of section 607 of the

- 1 "National Defense Housing Act", Pub. L. 76-849, (42 U.S.C. 1521  
2 et seq.), as amended, which acquired a National Defense Housing  
3 Project pursuant to that act;
- 4 "Qualified resident" means a person who owns, rents or  
5 occupies residential property;
- 6 "Qualified entity" means a building or facility which is owned  
7 and used by:
- 8 (1) a public or private school, university, college or seminary  
9 for either classroom space or administrative office space;
- 10 (2) a church, synagogue or temple for holding religious  
11 services, or which is used to house church-, synagogue- or  
12 temple- related personnel;
- 13 (3) a clinic or hospital, including a residential building which is  
14 used to house personnel who are employed by the clinic or  
15 hospital;
- 16 (4) a non-profit organization which operates under the  
17 provisions of Title 15A of the New Jersey Statutes, for the  
18 purposes for which the organization was created, or for  
19 administrative office space; or
- 20 (5) a business which has less than 10 full-time employees.
- 21 b. A city of the second class with a population of more than  
22 80,000 but less than 88,000 according to the latest federal  
23 decennial census, located in a county of the second class with a  
24 population of more than 455,000 but less than 510,000 according  
25 to the latest federal decennial census, and a county or municipal  
26 utilities authority whose operations plant is located within the  
27 city's boundaries may negotiate a host community benefit for  
28 qualified residents and qualified entities within the city. The  
29 benefit shall be provided as a credit against the individual  
30 accounts of the qualified resident or entity, and the county or  
31 municipal utilities authority and the city shall negotiate the  
32 amount of the benefit. Upon agreement of the parties, the  
33 governing body of the city shall adopt an ordinance setting forth  
34 the specific requirements under the agreement. In cases in which  
35 a qualified resident is not billed directly for the county or  
36 municipal utilities authority's services, the city shall, as part of  
37 the ordinance setting forth the specific requirements of the  
38 agreement, establish procedures under which the owner of the  
39 appropriate property shall insure that the qualified resident is  
40 compensated for the amount of the credit.
- 41 3. This act shall take effect immediately.

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44 STATEMENT

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46 This bill permits a city of the second class with a population of  
47 more than 80,000 but less than 88,000 according to the latest  
48 federal decennial census, located in a county of the second class  
49 with a population of more than 455,000 but less than 510,000  
50 according to the latest federal decennial census, and a county or

1 municipal sewerage authority or a county or municipal utilities  
2 authority whose operations plant is located within the city's  
3 boundaries, to negotiate a host community benefit with the city,  
4 for the benefit of certain groups located within the city. The bill  
5 permits the authority and the city to negotiate the amount of the  
6 benefit to be given to qualified residents or other qualified  
7 entities. The benefit will be provided as a credit against the  
8 individual accounts of the appropriate qualified person or entity.  
9 In cases in which a qualified resident is not billed directly for the  
10 authority's services, the owner of the appropriate property is  
11 required to insure that the qualified resident is compensated for  
12 the amount of the credit.

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## 15 LOCAL GOVERNMENT

16

17 Permits certain cities and certain authorities to negotiate host  
18 community benefit.

1 "National Defense Housing Act", Pub. L. 76-849, (42 U.S.C. 1521  
2 et seq.), as amended, which acquired a National Defense Housing  
3 Project pursuant to that act;

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11 services, or which is used to house church-, synagogue- or  
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13 (3) a clinic or hospital, including a residential building which is  
14 used to house personnel who are employed by the clinic or  
15 hospital;

16 (4) a non-profit organization which operates under the  
17 provisions of Title 15A of the New Jersey Statutes, for the  
18 purposes for which the organization was created, or for  
19 administrative office space; or

20 (5) a business which has less than 10 full-time employees.

21 b. A city of the second class with a population of more than  
22 80,000 but less than 88,000 according to the latest federal  
23 decennial census, located in a county of the second class with a  
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#### STATEMENT

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49 with a population of more than 455,000 but less than 510,000  
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2 authority whose operations plant is located within the city's  
3 boundaries, to negotiate a host community benefit with the city,  
4 for the benefit of certain groups located within the city. The bill  
5 permits the authority and the city to negotiate the amount of the  
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7 entities. The benefit will be provided as a credit against the  
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11 required to insure that the qualified resident is compensated for  
12 the amount of the credit.

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15 LOCAL GOVERNMENT

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Permits certain cities and certain authorities to negotiate host  
community benefit.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4667

STATE OF NEW JERSEY

DATED: MAY 23, 1991

The Assembly Municipal Government Committee favorably reports Assembly Bill No. 4667.

This bill permits a city of the second class with a population of more than 80,000 but less than 88,000 according to the latest federal decennial census, located in a county of the second class with a population of more than 455,000 but less than 510,000 according to the latest federal decennial census, and a county or municipal sewerage authority or a county or municipal utilities authority whose operations plant is located within the city's boundaries, to negotiate a host community benefit with the city, for the benefit of certain groups located within the city. The bill permits the authority and the city to negotiate the amount of the benefit to be given to qualified residents or other qualified entities. The benefit will be provided as a credit against the individual accounts of the appropriate qualified person or entity. In cases in which a qualified resident is not billed directly for the authority's services, the owner of the appropriate property is required to ensure that the qualified resident is compensated for the amount of the credit.