

ACTS
OF THE
First Annual Session
OF THE
One Hundred and Ninety-eighth Legislature
OF THE
STATE OF NEW JERSEY
AND
Twenty-seventh Under the New Constitution



1978

REORGANIZATION PLANS

REORGANIZATION PLANS FOR THE URBAN LOAN
AUTHORITY AND AREA REDEVELOPMENT
AUTHORITY

The Urban Loan Authority in the Department of Community Affairs is hereby abolished and all functions, powers and duties of said authority are hereby transferred to the New Jersey Economic Development Authority in, but not of, the Department of Labor and Industry. The Area Redevelopment Authority in the Department of Labor and Industry is hereby abolished and all functions, powers and duties of said authority are hereby transferred to the New Jersey Economic Development Authority in, but not of, the Department of Labor and Industry.

The Urban Loan Authority, established pursuant to the Business Incentive Loan Act, P. L. 1969, c. 202, as amended (c. 52:27D-71 et seq.) provides loans, loan guarantees and technical assistance to businesses which are unable to obtain necessary financing on reasonable terms and are located in areas of high unemployment. The Area Redevelopment Authority, established pursuant to the New Jersey State Redevelopment Assistance Act, P. L. 1962, c. 204, as amended and supplemented, provides financial assistance to local area redevelopment agencies for projects which will expand employment opportunities and improve economic conditions in local redevelopment areas.

The Economic Development Authority, which was created in 1974, has facilitated tax exempt financing and, in some cases, provided loan guarantees for commercial and industrial development and capital facility improvements. The Economic Development Authority activities have substantially expanded employment opportunities and economic growth, with many benefits accruing to urban areas of high unemployment. During the few years of its existence, the Economic Development Authority has become by far the most successful, expert, and dominant financial assistance agency in State government. By abolishing the smaller Urban Loan Authority and Area Redevelopment Authority, and transferring their respective functions, powers and duties to the Economic Development Authority, the State can more effectively support employment growth and urban economic revitalization. Also the expanded urban economic development role which has been assumed by the Economic Development Authority should incorpo-

rate the parallel activities of the Urban Loan Authority and Area Redevelopment Authority.

This reorganization plan concentrates economic development financial assistance functions in a single, effective agency; it eliminates duplication of effort by cabinet officers and staffs serving on the different authorities; and it streamlines financial assistance procedures by eliminating multiple applications for financial assistance and multiple loan reviews by the different staffs.

In accordance with the provisions of the Executive Reorganization Act of 1969, P. L. 1969, c. 203 (c. 52:14c-2), I find and declare that these abolitions, transfers and reorganization are necessary:

- (1) To promote the more effective management of the Executive Branch;
- (2) To reduce expenditures and promote economy to the fullest extent practicable;
- (3) To increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
- (4) To group, coordinate, and consolidate agencies and functions of the Executive Branch, as nearly as practicable, according to major purposes;
- (5) To reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies as may not be necessary for the efficient conduct of the Executive Branch; and
- (6) To eliminate overlapping and duplication of effort.

All acts and parts of acts inconsistent with any of the provisions of this reorganization plan are superseded to the extent of such inconsistencies. All transfers directed by this reorganization plan shall be effected pursuant to the "State Agency Transfer Act", P. L. 1971, c. 375 (c. 52:14D-1 et seq.).

/s/ BRENDAN BYRNE,

Filed February 27, 1978.

Governor.

REORGANIZATION PLAN FOR THE BOARD OF
PUBLIC UTILITIES AND THE DEPARTMENT
OF TRANSPORTATION

The functions, powers, and duties including, but not limited to, investigatory and punitive powers heretofore exercised and performed by the Board of Public Utilities pursuant to the provisions of Chapters 4, 12, and 15 inclusive of Title 48 of the Revised Statutes, as amended and supplemented, and the provisions of Chapters 2 and 3 of Title 48 of the Revised Statutes, as amended and supplemented as they apply to autobuses, charter and special bus operations, railroads, street railways, traction railways and subways (except that no function, power or duty set forth in P. L. 1968, c. 173, (C. 48:2-59 to 48:2-72) is hereby transferred) and R. S. 39:3-4.1, R. S. 39:3-19, R. S. 39:3-61(m), R. S. 39:3-64(b), R. S. 39:4-128(d), R. S. 39:8-1, R. S. 40:55-50, R. S. 40:62-1, R. S. 40:62-2(c), R. S. 40:121-1, R. S. 40:121-5, R. S. 40:121-12, R. S. 40:121-13, R. S. 40:183-55, R. S. 40:183-61 to 40:183-65, R. S. 40:183-69, R. S. 40:183-71 to 40:183-74 are hereby transferred to and shall be exercised and performed by the Department of Transportation effective January 1, 1979.

All appropriations, grants, and other monies available to and to become available to the Board of Public Utilities attributable to and derived from the functions, powers, and duties which have been transferred by this plan to the Department of Transportation are hereby transferred to the Department of Transportation and shall be available for the objects and purposes for which appropriated or otherwise made available subject to any terms, restrictions, limitations or other requirements imposed by the State or Federal law.

Such employees of the Board of Public Utilities engaged in the functions, powers, and duties which have been transferred by this reorganization plan are hereby transferred to the Department of Transportation.

With respect to the functions, powers and duties hereby transferred to the Department of Transportation, whenever in any law, rule, regulation, contract, document, judicial or administrative proceeding or otherwise, reference is made to the Board of Public Utilities, the same shall mean and refer to the Department of Transportation.

This reorganization plan shall not affect the tariffs, orders, agreements, rules and regulations heretofore made or promulgated by the Board of Public Utilities relating to the functions, powers and duties which have been transferred to the Department of Transportation but such tariffs, orders, agreements, rules and regulations shall continue with full force and effect until amended or repealed pursuant to law and shall be administered by the department.

This reorganization plan shall not affect actions or proceedings, civil or criminal, brought by or against the Board of Public Utilities relating to the functions, powers, and duties which have been herein transferred by this plan, and which are pending on the effective date of this plan, but such actions or proceedings may be prosecuted and defended in the same manner and to the same effect by the Department of Transportation as if the foregoing provisions had not taken effect; nor shall this reorganization plan affect any order or recommendation made by, or other matters or proceedings before, the Board of Public Utilities relating to the functions, powers, and duties which have been herein transferred, and all such matters or proceedings pending before such Board of Public Utilities on the effective date of this reorganization plan shall be continued by the Department of Transportation, provided that any hearings commenced by the Board of Public Utilities, prior to the effective date of this reorganization plan shall continue before the hearing officer of that board under the applicable rules of the Board of Public Utilities. However, upon completion of the hearings and proceedings before the hearing officer and unless waived by the parties or certified to the Department of Transportation by its own action, the hearing officer shall make his report and recommendations to the Department, serving copy of said report and recommendations upon all parties, who have participated in the hearings as provided in the Rules of Practice. With respect to such hearings, whenever reference is made to the Board of Public Utilities it shall mean and refer to the Department of Transportation.

Unless specifically otherwise provided in this reorganization plan or by an operative law, whenever, pursuant to existing law, consents, approvals, reports, certifications, petitions, applications, or requests are required from or permitted to be made to the Board of Public Utilities relating to those functions, powers, and duties which are transferred by this reorganization plan, such consents, approvals, reports and certifications shall hereafter be required to be filed with, and such petitions, applications or requests shall

hereafter be made to the Department of Transportation to which such transfer has been made under this reorganization plan.

The transfer directed by this reorganization plan with respect to the Board of Public Utilities shall be made pursuant to the "State Agency Transfer Act," P. L. 1971, c. 375 (C. 52:14D-1 et seq.).

If any provisions of this reorganization plan or the application thereof to any person, or circumstances, or the exercise of any power, or authority thereunder is held invalid or contrary to law, such holding shall not affect other provisions or applications of the reorganization plan which can be given effect without the invalid provisions or applications or affect other exercises of power of authority under said provisions not contrary to law, and to this end, the provisions of this reorganization plan are declared to be severable.

This reorganization plan is intended to protect and promote the public health, safety and welfare, and shall be liberally construed to obtain the objectives and effect the purposes thereof.

All Acts and parts of Acts inconsistent with any of the provisions of this reorganization plan are superseded to the extent of such inconsistencies. Any provisions of this plan which conflict with Federal law are null and void.

In accordance with the provisions of the Executive Reorganization Act of 1969, P. L. 1969, c. 203 (C. 52:14C-2), I find and declare that this transfer and reorganization is necessary:

1. To promote the better execution of the laws and the more efficient management of the Executive Branch and of its agencies and functions;
2. To increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
3. To group, coordinate and consolidate agencies and functions of the Executive Branch as nearly as practicable according to major purposes; and
4. To eliminate overlapping and duplication of effort.

All Acts and parts of Acts inconsistent with any of the provisions of this reorganization plan are superseded to the extent of such inconsistencies. All transfers directed by this reorganization plan shall be effected pursuant to the "State Agency Transfer Act," P. L. 1971, c. 375 (C. 52:14D-1 et seq.).

/s/ BRENDAN BYRNE,

Filed October 5, 1978.

Governor.