

ASSEMBLY COMMERCE AND MILITARY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2091**

with committee amendments

**STATE OF NEW JERSEY**

DATED: DECEMBER 9, 1996

The Assembly Commerce and Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 2091 with committee amendments.

As amended, this bill would provide an exemption for development projects, for which submitted applications have been deemed complete under the "Municipal Land Use Law," from State regulations or amendments to State regulations that are adopted subsequent to the completion date. The preparation of plans for submission to a planning board involves costly design services and substantial environmental reviews. In light of the significant consideration and the determination by the planning board that the plans are deemed complete, an applicant and the planning board should be able to rely upon the regulations in place at the time.

Under the bill, a developer may opt to be covered by a subsequently adopted regulation or amendment to a regulation. The exemption provided under the bill would not apply if such an exemption from a State regulation or amendment to a State regulation would violate a federal law, rule, or regulation. It also would not apply if the project fails to commence construction within five years after adoption of the regulation or the amendment to a regulation, or if construction of the project is suspended more than five years after adoption of the regulation or the amendment of the regulation, for a period of 18 consecutive months or more.

This bill would thus speed up the development process by limiting the State requirements that must be met to those in place at the time the application is deemed complete, other than State regulations that are required under federal law, rule, or regulation.

The committee adopted amendments to provide that the bill applies retroactively to projects for which an application for development was deemed complete within one year prior to the effective date of the bill.

The committee also adopted amendments to provide that the bill shall not apply to any rule, or amendment to a rule, adopted to implement the provisions of the "New Residential Construction Off-Site Conditions Disclosure Act," P.L.1995, c.253 (C.46:3C-1 et seq.).