

# STATE OF NEW YORK

3d Rdg. 18

Print. 1152, 2295

Intro. 1152

(1/23 amended)

## IN ASSEMBLY

(Prefiled)

January 4, 1961

*Passed*  
*2/6/61 Gov.*  
*10 Day Bill before Gov.*

Introduced by Mr. CURTO—(on behalf of the Joint Legislative Committee on Housing and Multiple Dwellings)—read once and referred to the Committee on Ways and Means—amended and ordered reprinted, retaining its place on the order of third reading

*Passed*

## AN ACT

To amend the public housing law and the executive law, in relation to changing the title of the commissioner of housing and division of housing in the executive department to "commissioner of housing and community renewal" and "division of housing and community renewal", respectively

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

- 1 Section 1. Subdivision one of section three of the public housing
- 2 law, and sections ten and eleven of such law, subdivision one of
- 3 section three thereof having been last amended by chapter one
- 4 hundred forty-eight of the laws of nineteen hundred forty, and
- 5 section eleven thereof having been last amended by chapter two
- 6 hundred eighty-four of the laws of nineteen hundred fifty-three,
- 7 are hereby amended to read as follows:

EXPLANATION -- Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

1 1. The term "commissioner" means the state commissioner of  
2 housing *and community renewal*. Reference in this chapter or in  
3 any other general, special or local law to state [superintendent]  
4 *commissioner* of housing shall be deemed to mean and refer to  
5 the state commissioner of housing *and community renewal* which  
6 is hereby made the new title of such office.

7 § 10. Division of housing *and community renewal*. There shall  
8 be in the executive department a division of housing and *commu-*  
9 *nity renewal*. Reference in this chapter or in any other general,  
10 *special or local law to the division of housing shall be deemed to*  
11 *mean and refer to the division of housing and community renewal*  
12 *which is hereby made the new title of such division.*

13 § 11. Commissioner of housing *and community renewal*; appoint-  
14 ment; term of office; vacancies; salaries. The head of the division  
15 of housing *and community renewal* shall be the commissioner of  
16 housing *and community renewal* who shall be appointed by the  
17 governor and shall hold office during his pleasure. The commis-  
18 sioner shall receive an annual salary to be fixed by the governor  
19 within the amount appropriated therefor. The commissioner shall  
20 be the chief executive officer of the division, and he may, by order  
21 filed in the executive department, delegate any of his powers to  
22 or direct any of his duties to be performed by a deputy, except  
23 the power to appoint or remove officers or employees or to fix their  
24 compensation.

25 § 2. Section two hundred sixty of the executive law is hereby  
26 amended to read as follows:

1 § 260. Division of housing *and community renewal*. The com-  
2 missioner of housing *and community renewal* appointed pursuant  
3 to the provisions of the public housing law, shall be the head of  
4 the division of housing *and community renewal* and shall have and  
5 exercise all the functions, powers and duties vested in him by that  
6 or any other law. The commissioner of housing *and community*  
7 *renewal* shall receive a salary to be fixed by the governor within the  
8 amount appropriated therefor.

9 § 3. Wherever in any general, special or local law, contract or  
10 document, reference is made to the "state commissioner of hous-  
11 ing", commissioner of housing" or "commissioner", as the case  
12 may be, and to the "state division of housing", "division of hous-  
13 ing", or "division", as the case may be, the same shall be deemed  
14 to mean and refer to "state commissioner of housing and community  
15 renewal", "commissioner of housing and community renewal",  
16 and "state division of housing and community renewal", "division  
17 of housing and community renewal" respectively, which names  
18 are hereby made the new titles of the office of the commissioner and  
19 the division, respectively.

20 § 4. The change of title effected by this act from state commis-  
21 sioner of housing to state commissioner of housing and community  
22 renewal and from division of housing to division of housing  
23 and community renewal shall not be deemed to impair or affect the  
24 validity of any act done or proceeding taken by or in the name of  
25 either the state commissioner of housing or division of housing,  
26 as the case may be, or to affect or abate any pending action or  
27 proceeding brought by, for or against the state commissioner of

1 housing or division of housing, but all such acts and proceedings  
2 and actions and proceedings may be continued, conducted, com-  
3 pleted and prosecuted by, for or against the state commissioner  
4 of housing and community renewal or division of housing and com-  
5 munity renewal in the same manner and with like effect as if this act  
6 had not been passed.

7 § 5. This act shall take effect immediately.

8 NOTE.—The change in title sought by this legislation is designed to reflect  
9 more accurately the present scope of responsibilities and services of the Com-  
10 missioner and the Division in administering a comprehensive program of  
11 financial and technical assistance for community development. This bill has  
12 been prepared under the direction of the Division of Housing.

3rd Rdy 1/23

# STATE OF NEW YORK



Print. 1152

Intro. 1152

## IN ASSEMBLY

(Prefiled)

January 4, 1961

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See amendment  
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*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

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7 are hereby amended to read as follows:

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

1 1. The term "commissioner" means the state commissioner of  
2 housing *and urban development*. Reference in this chapter or in  
3 any other general, special or local law to state [superintendent]  
4 commissioner of housing shall be deemed to mean and refer to  
5 the state commissioner of housing *and urban development* which  
6 is hereby made the new title of such office.

7 § 10. Division of housing *and urban development*. There shall  
8 be in the executive department a division of housing *and urban*  
9 *development*. Reference in this chapter or in any other general,  
10 special or local law to the division of housing shall be deemed to  
11 mean and refer to the division of housing *and urban development*  
12 which is hereby made the new title of such division.

13 § 11. Commissioner of housing *and urban development*; appoint-  
14 ment; term of office; vacancies; salaries. The head of the division  
15 of housing *and urban development* shall be the commissioner of  
16 housing *and urban development* who shall be appointed by the  
17 governor and shall hold office during his pleasure. The commis-  
18 sioner shall receive an annual salary to be fixed by the governor  
19 within the amount appropriated therefor. The commissioner shall  
20 be the chief executive officer of the division, and he may, by order  
21 filed in the executive department, delegate any of his powers to  
22 or direct any of his duties to be performed by a deputy, except  
23 the power to appoint or remove officers or employees or to fix their  
24 compensation.

25 § 2. Section two hundred sixty of the executive law is hereby  
26 amended to read as follows:

1 § 260. Division of housing *and urban development*. The com-  
2 missioner of housing *and urban development* appointed pursuant  
3 to the provisions of the public housing law, shall be the head of  
4 the division of housing *and urban development* and shall have and  
5 exercise all the functions, powers and duties vested in him by that  
6 or any other law. The commissioner of housing *and urban develop-*  
7 *ment* shall receive a salary to be fixed by the governor within the  
8 amount appropriated therefor.

9 § 3. Wherever in any general, special or local law, contract or  
10 document, reference is made to the "state commissioner of hous-  
11 ing", commissioner of housing" or "commissioner", as the case  
12 may be, and to the "state division of housing", "division of hous-  
13 ing", or "division", as the case may be, the same shall be deemed  
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15 development", "commissioner of housing and urban development",  
16 and "state division of housing and urban development", "division  
17 of housing and urban development" respectively, which names  
18 are hereby made the new titles of the office of the commissioner and  
19 the division, respectively.

20 § 4. The change of title effected by this act from state commis-  
21 sioner of housing to state commissioner of housing and urban  
22 development and from division of housing to division of housing  
23 and urban development shall not be deemed to impair or affect the  
24 validity of any act done or proceeding taken by or in the name of  
25 either the state commissioner of housing or division of housing,  
26 as the case may be, or to affect or abate any pending action or  
27 proceeding brought by, for or against the state commissioner of

1 housing or division of housing, but all such acts and proceedings  
2 and actions and proceedings may be continued, conducted, com-  
3 pleted and prosecuted by, for or against the state commissioner  
4 of housing and urban development or division of housing and urban  
5 development in the same manner and with like effect as if this act  
6 had not been passed.

7 § 5. This act shall take effect immediately.

8 NOTE.—The change in title sought by this legislation is designed to reflect  
9 more accurately the present scope of responsibilities and services of the Com-  
10 missioner and the Division in administering a comprehensive program of  
11 financial and technical assistance for community development. This bill has  
12 been prepared under the direction of the Division of Housing.



December 7, 1960

MEMORANDUM

TO: COUNSEL TO THE GOVERNOR  
FROM: Division of Housing  
SUBJECT: Legislative Proposal #2

D-712  
Curtis  
Wayne  
1152

1. Purpose of bill:

To effect a change in the title of the Commissioner of Housing and the Division of Housing to "Commissioner of Housing and Urban Development" and "Division of Housing and Urban Development", respectively.

2. Summary of provisions of bill:

This bill would amend the Public Housing Law and the Executive Law and by reference all of the Consolidated Laws or Unconsolidated Laws and contracts and other documents which contain a present reference to the office of the Commissioner of Housing or Division of Housing, by changing the title of the Commissioner and of the Division to the Commissioner of Housing and Urban Development and Division of Housing and Urban Development, respectively.

3. Justification:

The present designations "Commissioner of Housing" and "Division of Housing" do not adequately convey the present responsibilities and services of either the Division or the Commissioner. No longer is the construction of publicly assisted low rent housing the principal function of the Commissioner and of the Division.

The Commissioner of Housing through the Division of Housing administers a comprehensive program of financial and technical assistance for community development. The program is integrated as a total approach to the problems of urban blight and inadequate housing. Major interrelated phases include loans and subsidies to municipalities for urban renewal projects, mortgage loans and technical guidance to private housing companies for the development of middle income housing, loans and subsidies to local housing authorities or to municipalities for slum clearance, low income public housing projects, technical assistance to guide municipalities in adopting the State Building Code and the State Housing Code which are now a major responsibility of the Division.

The Division may also act as the agent of smaller municipalities having less than 15,000 population which are undertaking a federal program of urban renewal.

These added powers, duties and responsibilities reposed in the Commissioner and the Division respectively require a broader title than the Commissioner and the Division now carry.

AN ACT

To amend the public housing law and the executive law, in relation to changing the title of the commissioner of housing and division of housing in the executive department to "commissioner of housing and urban development" and "division of housing and urban development", respectively.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision one of section three of the public housing law, and section ten and eleven of such law, subdivision one of section three thereof, having been last amended by chapter one hundred forty-eight of the laws of nineteen hundred forty, and section eleven thereof having been last amended by chapter two hundred eighty-four of the laws of nineteen hundred fifty-three, are hereby amended to read as follows:

1. The term "commissioner" means the state commissioner of housing and urban development. Reference in this chapter or in any other general, special or local law to state [superintendent] commissioner of housing shall be deemed to mean and refer to the state commissioner of housing and urban development which is hereby made the new title of such office.

§ 10. Division of housing and urban development. There shall be in the executive department a division of housing and urban development. Reference in this chapter or in any other general, special or local law to the division of housing shall be deemed to mean and refer to the division of housing and urban development which is hereby made the new title of such division.

§ 11. Commissioner of housing and urban development; appointment; term of office; vacancies; salaries. The head of the division of housing and urban development shall be the commissioner of housing and urban development who shall be appointed by the **governor** and shall hold office during his pleasure. The commissioner shall receive an annual salary to be fixed by the governor within the amount to be appropriated therefor. The commissioner shall be the chief executive officer of the division, and he may, by order filed in the executive department, delegate any of his powers to or direct any of his duties to be performed by a deputy, except the power to appoint or remove officers or employees or to fix their compensation.

§ 2. Section two hundred sixty of the executive law is hereby amended to read as follows:

§ 260. Division of housing and urban development.

The commissioner of housing and urban development appointed pursuant to the provisions of the public housing law, shall be the head of the division of housing and urban development and shall have and exercise all the functions, powers and duties vested in him by that or any other law. The commissioner of housing and urban development shall receive a salary to be fixed by the governor within the amount appropriated therefor.

§ 3. Wherever in any general, special or local law, contract or document, reference is made to the "state commissioner of housing", commissioner of housing" or "commissioner", as the case may be, and to the "state division of housing", "division of housing", or "division", as the case may be, the same shall be deemed to mean and refer to "state commissioner of housing and urban development", "commissioner of housing and urban development", and "state division of housing and urban development", "division of housing and urban development" respectively, which names are hereby made the new titles of the office of the commissioner and the division, respectively.

§ 4. The change of title effected by this act from state commissioner of housing to state commissioner of housing and urban development and from division of housing to division of housing and urban development shall not be deemed to impair or affect the validity of any act done or proceeding taken by or in the name of either the state commissioner of housing or division of housing, as the case may be, or to affect or abate any pending action or proceeding brought by, for or against the state commissioner of housing or division of housing, but all such acts and proceedings and actions and proceedings may be continued, conducted, completed and prosecuted by, for or against the state commissioner of housing and urban development or division of housing and urban development in the same manner and with like effect as if this act had not been passed.

§ 5. This act shall take effect immediately.

Explanation: Matter underlined is new; matter in brackets / ]  
is old law to be omitted.

ROBERT L. McMANUS, PRESS SECRETARY TO THE GOVERNOR

STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY

April 11, 1961

MEMORANDUM filed with Assembly Bill, Introductory Number 1152,

Print Number 2295, entitled:

#64

Chapter 398

*Curtis*

"AN ACT to amend the public housing law and the executive law, in relation to changing the title of the commissioner of housing and division of housing in the executive department to "commissioner of housing and community renewal" and "division of housing and community renewal", respectively"

A P P R O V E D

This bill, another part of the reorganization of the executive branch of State government commenced by this administration in 1960, changes the name of the Division of Housing to the "Division of Housing and Community Renewal", in order to reflect more appropriately its functions in community development.

The present designation "Division of Housing" does not adequately convey the scope of the present services and responsibilities discharged by this State agency. This agency administers a comprehensive program of financial and technical assistance to localities to aid them in community development. Its integrated program constitutes a total approach to the problems of community blight and inadequate housing.

The major phases of this agency's program include financial and technical assistance to municipalities for urban renewal projects, mortgage loans and technical guidance to private housing companies for the development of private housing for middle-income families, financial and technical aid to municipal housing authorities for public housing and housing for the aging, and encouragement and assistance to municipalities in improving the standards of building construction.

This bill, effective immediately, is approved.

(signed) NELSON A. ROCKEFELLER