

13:17A-2 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 13:17A-2 et al (Food distribution center--Hackensack Meadowlands area--Governor may designate)

LAWS OF: 1985 **CHAPTER:** 499

BILL NO: S3473

Sponsor(s): Cowan

Date Introduced: December 5, 1985

Committee: Assembly: -----

Senate: -----

Amended during passage: No

Date of Passage: Assembly: January 13, 1986

Senate: December 9, 1985

Date of Approval: January 21, 1986

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill would permit the Governor to designate a site for a food distribution center in a municipality or municipalities located in any county with land located in, or bordering on, the Hackensack Meadowlands District.

SENATE, No. 3473

STATE OF NEW JERSEY

INTRODUCED DECEMBER 5, 1985

By Senator COWAN

(Without Reference)

AN ACT to amend the title of "An Act concerning the authorization, acquisition, financing and operation of a food distribution center in the Hackensack Meadowlands District, providing for creation and establishment of the Hackensack Meadowlands Food Distribution Center Commission as a public body corporate and politic to undertake the same, for the issuance of bonds and other obligations therefor, and for the charges and other means to meet the expense thereof and repealing P. L. 1960, c. 18," approved July 18, 1983 (P. L. 1983, c. 272), so the same shall read "An Act concerning the authorization, acquisition, financing and operation of a food distribution center in the region of the Hackensack Meadowlands District, providing for the creation and establishment of the Hackensack Meadowlands Food Distribution Center Commission as a public body corporate and politic to undertake the same, for the issuance of bonds and other obligations therefor, and for the charges and other means to meet the expense thereof and repealing P. L. 1960, c. 18" and to amend and supplement the body of said act.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The title of P. L. 1983, c. 272 is amended to read as follows:
2 An Act concerning the authorization, acquisition, financing and
3 operation of a food distribution center in the *region of the Hacken-*
4 *sack Meadowlands District*, providing for the creation and estab-
5 lishment of the Hackensack Meadowlands Food Distribution
6 Center Commission as a public body corporate and politic to

**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 printed in italics thus is new matter.

7 undertake the same, for the issuance of bonds and other obligations
8 therefor, and for the charges and other means to meet the expense
9 thereof and repealing P. L. 1960, c. 18.

1 2. Section 2 of P. L. 1983, c. 272 (C. 13:17A-2) is amended to
2 read as follows:

3 2. It is declared to be in the public interest and to be the policy
4 of the State and municipalities to foster and promote by all
5 reasonable means the provision of a food distribution center within
6 the *region of the Hackensack Meadowlands District* for use by the
7 public in the expeditious handling, storage and marketing of
8 agricultural and horticultural products, meat, fish, foods, and other
9 products and commodities and reduce and eliminate the shortage
10 of facilities which has resulted in undue losses, spoilage and waste
11 of agricultural and horticultural products, meat, fish, foods and
12 other products and commodities and increased costs to public con-
13 sumers, and to promote the public health, welfare, betterment and
14 convenience and reduce the impairment of any of the aforesaid
15 resulting from lack of proper public marketing facilities which
16 cannot be adequately obtained except by exercise of the powers
17 of government. The Hackensack Meadowlands Development Com-
18 mission is currently undertaking a study to determine the feasi-
19 bility of a food distribution center in the vicinity of the Hackensack
20 Meadowlands District. In the event that study determines that
21 such a facility is feasible, *it* is the purpose and object of this act
22 to further and implement this policy by:

23 a. Empowering a food distribution center commission to acquire,
24 construct, maintain, operate and improve a market facility at a
25 site selected as hereinafter provided;

26 b. Authorizing the making of charges for the use or the services
27 of the facility, and providing for the establishment, collection and
28 enforcement of the charges;

29 c. Establishing a food distribution center commission as a body
30 corporate and politic to have full responsibility and powers with
31 respect to the facility and the establishment, collection, enforce-
32 ment, use and disposition of the charges for the use or services of
33 the facility;

34 d. Authorizing the food distribution center commission to pro-
35 vide for the financing of the facility, for the issuance of bonds of
36 the commission therefor, and for the payment and security of the
37 bonds; and

38 e. Granting to the commission discretionary powers to provide
39 for the food distribution center and to obtain funds to defray the
40 cost thereof from the users of the facility or from the federal

41 government, or states, counties or municipalities or from other
42 persons contracting for or with respect to the same.

1 3. Section 11 of P. L. 1983, c. 272 (C. 13:17A-11) is amended to
2 read as follows:

3 11. a. The purposes of the commission shall be (1) providing a
4 food distribution center for the use of the public at the site selected,
5 after a finding that the market facility is feasible and (2) making
6 the facility available to the public for the handling, storage and
7 marketing of agricultural and horticultural products, meat, fish,
8 foods and other products and commodities.

9 b. The commission is authorized, subject to the limitations of
10 this act, to acquire in its own name, by purchase, gift, condemna-
11 tion or otherwise, and notwithstanding the provisions of any
12 charter, ordinance or resolution of any political subdivision of this
13 State to the contrary except as provided in section 25, to construct,
14 maintain, operate and use the market facility, and any plants,
15 storage and processing facilities, buildings, sheds, accommodations,
16 access and roadways, port facilities, equipment, devices, appur-
17 tenances and other facilities and structures, within and without
18 the State, as in the judgment of the commission will provide an
19 effective and satisfactory method for promoting the purpose of
20 the facility.

21 c. **[The]** *If the market facility is sited in the district, the plans*
22 *and specifications for the market facility shall be approved by*
23 *the Hackensack Meadowlands Development Commission in accor-*
24 *dance with the standards and criteria contained in the district's*
25 *master plan and zoning regulations. If the market facility is sited*
26 *outside the district, the market facility shall meet the zoning regu-*
27 *lations of the local unit.*

1 4. Section 24 of P. L. 1983, c. 272 (C. 13:17A-24) is amended to
2 read as follows:

3 24. The market facility shall be located at a site within the area
4 selected by the Governor **[as provided in section 4]** *pursuant to*
5 *the provisions of this act or any supplement thereto.*

1 5. Section 25 of P. L. 1983, c. 272 (C. 13:17A-25) is amended to
2 read as follows:

3 25. The commission is empowered, in its own name, to acquire
4 by purchase, gift, grant or devise and to take for public use real
5 property within the market facility which may be deemed by the
6 commission to be necessary for its purposes, including public lands
7 and property, hereinafter in this section called "public lands," in
8 which any county, municipality or political subdivision *in which*
9 *a market facility is sited* has any right, title or interest and to the

10 acquisition of which it shall have consented. Whenever the com-
 11 mission has determined that it is necessary to take any real prop-
 12 erty for facility purposes by the exercise of the power of con-
 13 demnation, as hereinafter provided, it shall prepare two copies
 14 of diagrams, maps or plans designating the general area [in the
 15 district] in which real property is to be acquired and file one copy
 16 thereof in its office and the other copy thereof in the office of the
 17 clerk of the local unit. The commission is empowered to acquire
 18 and take real property by condemnation, in the manner provided
 19 by the "Eminent Domain Act of 1971," P. L. 1971, c. 361 (C. 20:3-1
 20 et seq.) and to that end, may invoke and exercise in the manner
 21 or mode of procedure prescribed in said act; provided however,
 22 that, notwithstanding the foregoing or any other provision of this
 23 act, the commission shall not institute any proceeding to acquire
 24 or take, by condemnation, any real property within the designated
 25 area in the local unit referred to above in this section until after
 26 the date of filing in the office of the clerk of the local unit of a
 27 certified copy of: a. a resolution of the commission stating the
 28 finding of the commission that it is necessary or convenient to
 29 acquire real property in said designated area for facility purposes,
 30 and b. a resolution of the governing body of the local unit express-
 31 ing its consent to the acquisition of real property in said designated
 32 area.

1 6. (New section) The Governor may designate or redesignate
 2 the site for a food distribution center in a municipality or munici-
 3 palities located in any county with land located in, or bordering
 4 on, the district.

1 7. This act shall take effect immediately.

STATEMENT

This bill would permit the Governor to designate a site for a food distribution center in a municipality or municipalities located in any county with land located in, or bordering on, the Hackensack Meadowlands District.

*\$1.3 million for community grants for substitute care and domestic violence shelters.

*\$720,000 for renovation and improvements for various types of shelters.

*\$350,000 for community grants for group homes operated by the Commission for the Blind and Visually Impaired.

*\$2.5 million for equipment and facilities for solid waste management at State institutions.

Kean signed S-3479, sponsored by Senator Richard Codey, D-Essex, to expand the membership of the New Jersey Sports and Exposition Authority by two members to a total of seven, change the title of Executive Director to President of the Authority, and makes the President an ex-officio member of the Authority.

Legislation to provide an exception from the municipal spending cap for cost of insurance coverage was signed by the Governor.

The bill, A-4090, was sponsored by Assemblyman George Otlowski, D-Middlesex, and is designed to help local governments cope with the steady and sharp increases in insurance coverage costs.

Other bills signed by Kean are:

S-2766, sponsored by Senator John Ewing, R-Somerset, to provide for grants to colleges in New Jersey to provide services for the learning disabled, the visually impaired, and the hearing impaired.

S-3473, sponsored by Senator Thomas Cowan, D-Hudson, to permit the Hackensack Meadowlands Food Distribution Center Commission to acquire, operate and maintain a food distribution center within the region of the Meadowlands District, rather than solely within the District.