

40A: 12-21

LEGISLATIVE HISTORY CHECKLIST

NJSA 40A:12-21
Laws of 1974 Chapter 175
Bill No. A 1212
Sponsor(s) Salkind & others
Date Introduced Feb. 15
Committee: Assembly Municipal Gov't.
Senate County & Municipal Gov't.

Amended during passage Yes No

Date of passage: Assembly April 29

Senate Sept. 19

Date of approval Dec. 10

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly No

Senate Yes No

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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ASSEMBLY, No. 1212

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1974

By Assemblymen SALKIND, KOZLOSKI, VAN WAGNER,
FITZPATRICK, RUANE and FLYNN

Referred to Committee on Municipal Government

AN ACT to amend N. J. S. 40A:12-21 of the "Local Lands and Buildings Law" with respect to private sale of real estate to historical societies.

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

1 1. N. J. S. 40A:12-21 is amended to read as follows:

2 40A:12-21. Private sales to certain organizations upon nominal
3 consideration. When the governing body of any county or municipi-
4 pality shall determine that all or any part of a tract of land, with or
5 without improvements, owned by the county or municipality, is not
6 then needed for county or municipal purposes, as the case may be,
7 said governing body, by resolution or ordinance, may authorize a
8 private sale and conveyance of the same, or any part thereof with-
9 out compliance with any other law governing disposal of lands by
10 counties and municipalities for a consideration, which may be
11 nominal, and containing a limitation that such lands or buildings
12 shall be used only for the purposes of such organization or associa-
13 tion, and to render such services or to provide such facilities as
14 may be agreed upon, and not for commercial business trade or
15 manufacture, and that if said lands or buildings are not used in
16 accordance with said limitation, title thereto shall revert to the
17 county or municipality without any entry or reentry made thereon
18 on behalf of such county or municipality, to

19 (a) A duly incorporated volunteer fire company or first aid and
20 emergency or volunteer ambulance or rescue squad association of
21 a municipality within the county, in the case of a county, or of the
22 municipality, in the case of a municipality, for the construction
23 thereon of a firehouse or fire school or a first aid and emergency
24 or volunteer ambulance or rescue squad building or for the use of

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

25 any existing building for any or all of said purposes and any such
26 land or building sold to any duly incorporated volunteer fire com-
27 pany may be leased by such fire company to any volunteer firemen's
28 association for the use thereof for fire school purposes for the
29 benefit of the members of such association, or

30 (b) Any nationally chartered organization or association of vet-
31 erans of any war, in which the United States has or shall have been
32 engaged, by a conveyance for a consideration, a part of which may
33 be an agreement by the organization or association to render ser-
34 vice or provide facilities for the general public of the county or
35 municipality, of a kind which the county or municipality may
36 furnish to its citizens and to the general public, or

37 (c) Any duly incorporated nonprofit hospital association for the
38 construction or maintenance thereon of a general hospital; or

39 (d) Any paraplegic veteran, that is to say, any officer, soldier,
40 sailor, marine, nurse or other person, regularly enlisted or inducted,
41 who was or shall have been in the active military or naval forces
42 of the United States in any war in which the United States was
43 engaged, and who, at the time he was commissioned, enlisted, in-
44 ducted, appointed or mustered into such military or naval service,
45 was a resident of and who continues to reside in this State, who is
46 suffering from paraplegia and has permanent paralysis of both
47 legs or the lower parts of the body resulting from injuries sus-
48 tained through enemy action or accident while in such active mili-
49 tary or naval service, for the construction of a home to domicile
50 him, or to any organization or association of veterans, for the
51 construction of a home or homes to domicile paraplegic veterans,
52 with power to convey said lands and premises to the paraplegic
53 veterans or veterans on whose behalf said organization or associa-
54 tion shall acquire title to said land[; or], or

55 (e) Any duly incorporated nonprofit association or any regional
56 commission or authority composed of one or more municipalities
57 or one or more counties for the construction or maintenance thereon
58 of an animal shelter [.] ; or

59 (f) *Any duly incorporated nonprofit historical society for the*
60 *acquisition of publicly owned historic sites for their restoration,*
61 *preservation, improvement and utilization for the benefit of the*
62 *general public.*

1 2. This act shall take effect immediately.

STATEMENT

This bill authorizes private sales of historic sites to historical societies to facilitate their restoration and preservation for the benefit of the public.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1212

STATE OF NEW JERSEY

DATED: JULY 18, 1974

Assembly Bill No. 1212 amends the private sales for a nominal sum provisions of the Local Public Contracts Law.

Except in the case of specified circumstances, real property owned by a county or municipality must be sold to the highest bidder. One exception is the private sale for a nominal consideration made to designated nonprofit organizations. This bill amends that provision of law (N. J. S. 40A:12-21) so as to allow such private sales to be made to any duly incorporated nonprofit historical society seeking to acquire publicly owned historic sites for purposes of restoration, preservation, improvement and utilization for public benefit.