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STATE OF NEW JERSEY

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INTRODUCED JUNE 12, 1939

By Mr. STANGER

(Without Reference)

AN ACT concerning the acquisition of land; condemnation; right of entry by the Board of Commerce and Navigation, and amending section 12:3-64 of the Revised Statutes.

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

1 1. Section 12:3-64 of the Revised Statutes is amended to read as follows:  
2 12:3-64. The Board of Commerce and Navigation may acquire title, in  
3 fee simple, in the name of the State, by gift, devise or purchase or by  
4 condemnation in the manner provided in chapter one of the Title Eminent  
5 Domain (20:1-1 et seq.) to any lands in the State, including riparian  
6 lands, of such area and extent which, in the discretion of the board,  
7 may be deemed necessary and advisable. All lands so acquired shall be  
8 subject to the jurisdiction and control of the board.

9-12 The board may enter upon and take property in advance of making com-  
13 pensation therefor where for any reason they cannot acquire the property  
14 by agreement with the owner.

15 Upon the board exercising the right of condemnation and entering upon  
16 and taking land in advance of making compensation therefor, they shall  
17 present a petition, and proceedings shall be had to fix the compensation, to  
18 be paid to the owner, as provided in said chapter one of the Title Eminent  
19 Domain.

20      Lands thus acquired shall be used for the improvement or development  
21 of any waterway, stream, river or creek or any waterfront or oceanfront  
22 property or to give access to any lands of the State.

1      2. Any acts or portions of acts inconsistent herewith are hereby re-  
2 pealed.

1      3. This act shall take effect immediately.

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5 Domain (20:1-1 et seq.) to any [riparian] lands in the State, including  
6 riparian lands, of such area and extent which, in the discretion of the board,  
7 may be deemed necessary and advisable. All lands so acquired shall be  
8 subject to the jurisdiction and control of the board.

9 [Only such lands shall be acquired under this section as are adapted to,  
10 can be used with and are necessary for the development and improvement or  
11 use of lands under tide water owned by the State.]

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### STATEMENT

From time to time persons lease riparian lands from the State and then default in payment of the annual rental, necessitating foreclosure as provided in 12:3-49 et seq. Structures and improvements on this foreclosed land become the property of the State but cannot be utilized unless some means is provided to give the Board access to these foreclosed lands.

The object of this act is to correct the above condition and to give the Board of Commerce and Navigation broader scope in its powers to develop the waterways and the waterfront lands of the State.