

52:18A-18.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:18A-18.1

(State Facilities-- notify municipality prior to moving out)

CHAPTER 15

Laws Of: 1987

Bill No: S18

Sponsor(s): Hurley

Date Introduced: Pre-filed

Committee: Assembly: State Government

Senate: State Government, Federal & Interstate Relations & Veterans' Affairs.

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: October 20, 1986

Senate: January 27, 1987

Date of Approval: January 27, 1987

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

The purpose of this bill is to require the State to give public notice to a municipality before it moves a State facility out of the municipality.

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1-27-87

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SENATE, No. 18

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator HURLEY

AN ACT requiring ***[public]*** **written** notice to be given**, in certain circumstances,** to the ***[governing body]*** **chief executive officer** of a municipality prior to moving a State facility out of the municipality.

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

1 1. **a.** The Division of Purchase and Property in the Depart-
2 ment of the Treasury shall, prior to moving a State facility out of a
3 municipality, give ***[120]*** **90** days' ***[public]*** **written** notice
4 **by certified mail** to the ***[governing body]*** **chief executive*
5 *officer** of the municipality affected thereby. **The division, how-*
6 *ever, shall not be required to provide this notice in an emergency*
7 *situation.**

8 **b. *For the purposes of subsection a. of this section, an "emer-*
9 *gency situation" means:*

10 (1) *A situation which threatens health or safety, or which violates*
11 *any health, building or fire code provision relating to the safe*
12 *occupancy and use of the premises;*

13 (2) *A situation in which the State is given less than 90 days'*
14 *notice to vacate the premises; or*

15 (3) *A situation in which the State is unable to reach an agree-*
16 *ment on a lease renewal for an existing tenancy, or on alternative*
17 *appropriate space, at reasonable market value rent and terms be-*
18 *fore the 90th day preceding the date upon which the premises which*
19 *it occupies must be surrendered.***

1 2. This act shall take effect ***[immediately]*** **on the 90th day*
2 *following the date of enactment*.*

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.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted January 23, 1986.

**—Assembly committee amendments adopted September 8, 1986.

PUBLIC NOTICE, MEETINGS, PARTICIPATION

Requires 90 days notice to a municipality prior to moving a State facility out.

SENATE, No. 18

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator HURLEY

SENATE, No. 852

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

by Senator HURLEY

AN ACT requiring public notice to be given to the governing body of a municipality prior to moving a State facility out of the municipality.

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

1 1. The Division of Purchase and Property in the Department of
2 the Treasury shall, prior to moving a State facility out of a
3 municipality, give 120 days' public notice to the governing body
4 of the municipality affected thereby.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to require the State to give public notice to a municipality before it moves a State facility out of the municipality.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 18

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with Assembly committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 21, 1986

The Assembly State Government Committee reports favorably and with committee amendments Senate Bill No. 18 OCR.

This bill requires that, prior to moving a State facility out of a municipality, the Division of Purchase and Property shall give 90 days' written notice by certified mail to the chief executive officer of the affected municipality. The division, however, is not required to provide this notice in an emergency, which is defined to include the following situations:

- (1) Those in which health or safety are threatened, or building or fire codes are violated;
- (2) Those in which the State has been given less than 90 days' notice to vacate the premises; or
- (3) Those in which, as of the 90th day preceding the date on which the premises of the facility must be surrendered, the State has been unable to obtain at reasonable rent either a renewal of its lease or suitable alternative space.

COMMITTEE AMENDMENT:

The committee amended the bill to provide the definition of "emergency situation."

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 18

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 23, 1986

The Senate State Government Committee reports Senate Bill No. 18 with amendments.

As amended, this bill provides that the Division of Purchase and Property in the Department of the Treasury shall, prior to moving a State facility out of a municipality, give 90 days' written notice by certified mail to the chief executive officer of the affected municipality. The division, however, shall not be required to provide this notice in an emergency situation.

The amendments to the bill:

1. Require written notice by certified mail instead of by public notice;
2. Provide that notice be sent to the chief executive officer of the municipality rather than to the governing body;
3. Provide that there shall be 90 instead of 120 days' notice;
4. Allow for the notice requirement to be suspended in an emergency situation; and
5. Provide that the bill shall take effect 90 days after enactment.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.