

40A:12-21

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:12-21 (County and Municipal property--certain--convey to non-profit organizations)

LAWS OF: 1985 CHAPTER: 412

BILL NO: S1452

Sponsor(s): Dumont

Date Introduced: March 1, 1984

Committee: Assembly: County Government and Regional Authorities
Senate: County and Municipal Government

Amended during passage: No

Date of Passage: Assembly: December 9, 1985
Senate: October 22, 1984

Date of Approval: January 13, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes

Following were printed:

Reports: No

Hearings: No

CHAPTER 412 LAWS OF N. J. 1985
APPROVED 1-13-86

SENATE, No. 1452

STATE OF NEW JERSEY

INTRODUCED MARCH 1, 1984

By Senator DUMONT

Referred to Committee on County and Municipal Government

AN ACT concerning conveyances by counties and municipalities to certain nonprofit organizations and amending, P. L. 1971, c. 199.

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

1 1. Section 21 of P. L. 1971, c. 199 (C. 40A:12-21) is amended to
2 read as follows:

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

20 (a) A duly incorporated volunteer fire company or board of fire
21 commissioners or first aid and emergency or volunteer ambulance
22 or rescue squad association of a municipality within the county,

Matter printed in italics thus is new matter.

23 in the case of a county, or of the municipality, in the case of a
24 municipality, for the construction thereon of a firehouse or fire
25 school or a first aid and emergency or volunteer ambulance or
26 rescue squad building or for the use of any existing building for
27 any or all of said purposes and any such land or building sold to
28 any duly incorporated volunteer fire company may be leased by
29 such fire company to any volunteer firemen's association for the
30 use thereof for fire school purposes for the benefit of the members
31 of such association, or

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

39 (c) A duly incorporated nonprofit hospital association for the
40 construction or maintenance thereon of a general hospital, or

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

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

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

64 (g) Any duly incorporated nonprofit cemetery organization or

65 association serving the residents of the municipality or county, or

66 (h) Any duly incorporated nonprofit organization for the prin-
67 cipal purpose of the education or treatment of persons afflicted with
68 developmental disabilities including cerebral palsy, or

69 (i) Any county or municipal sewerage authority serving the
70 residents of the county or municipality, for the use thereof for
71 sewerage authority purposes, or

72 (j) *Any duly incorporated nonprofit organization for the pur-*
73 *pose of building or rehabilitating residential property for resale.*
74 *Any profits from the resale of the property shall be applied by the*
75 *nonprofit organization to the costs of acquiring and rehabilitating*
76 *other residential property in need of rehabilitation owned by the*
77 *county or municipality.*

1 2. This act shall take effect immediately.

STATEMENT

This bill amends P. L. 1971, c. 199 (C. 40A:12-21) to permit counties and municipalities to convey property owned by the counties or municipalities respectively for nominal consideration to nonprofit organizations for the purpose of rehabilitating the property.

ASSEMBLY COUNTY GOVERNMENT AND
REGIONAL AUTHORITIES COMMITTEE

STATEMENT TO

SENATE, No. 1452

STATE OF NEW JERSEY

DATED: DECEMBER 13, 1984

Senate Bill No. 1452 would amend section 21 of P. L. 1971, c. 199 (C. 40A:12-21) to authorize counties and municipalities to sell and convey for nominal consideration local public property no longer needed for county or municipal use, respectively, to any duly incorporated nonprofit organization for the purpose of building or rehabilitating residential property for resale. Any profits received from the resale must be used for the acquisition and rehabilitation of other residential property owned by the county or municipality.

Currently, section 21 of P. L. 1971, c. 199 permits counties or municipalities to sell and convey such property for nominal consideration to other entities. Examples of some authorized purchasers are volunteer fire companies and rescue squads, nationally chartered veterans associations, duly incorporated nonprofit hospital associations and county and municipal sewerage authorities. Any property sold to these entities may only be used for purposes related to the entities' activities, e.g., a hospital association may use the property for construction of a general hospital.

The committee reported the bill favorably.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1452

STATE OF NEW JERSEY

DATED: JUNE 28, 1984

Senate Bill No. 1452 would amend section 21 of P. L. 1971, c. 199 (C. 40A:12-21) to authorize counties and municipalities to sell and convey for nominal consideration local public property no longer needed for county or municipal use, respectively, to any duly incorporated nonprofit organization for the purpose of building or rehabilitating residential property for resale.

S-1452, sponsored by State Senator Wayne Dumont, Jr., R-Warren, which permits counties and municipalities to convey for nominal consideration to nonprofit organizations property which the organization will rehabilitate.

S-2220, sponsored by State Senator Garrett W. Hagedorn, R-Bergen, which strengthens the Rooming and Boarding House Act of 1979, by allowing the Commissioner of the Department of Community Affairs to suspend, cancel, revoke or refuse to endorse the license of a boarding house in cases where the operators, officers, directors or shareholders of the owning corporation have obstructed the enforcement of the act, made any false statement or report under the Act or refused to comply with rulings or orders by the Commissioner.

S-2253, sponsored by Senate President Carmen A. Orechio, D-Essex, which would allow a member of the Public Employees Retirement System who holds public office to file for retirement and commence receiving a retirement allowance so long as the allowance is not based solely on service in the office to which he is elected.

S-2296, sponsored by State Senator Raymond Lesniak, D-Union, which amends and supplements the hazardous materials transportation program by adding necessary enforcement provisions, provides for State adoption of the Federal Motor Carrier Safety Regulations for interstate carriers and provides a \$1 million supplemental appropriation to the Department of Law and Public Safety to fund the enforcement program.

S-2376, also sponsored by Senate President Orechio, which appropriates \$70 million in bond proceeds from the Water Supply Bond Act of 1981 to make a low-interest loan to the North Jersey District Water Supply Commission to finance its share of the cost of the Monksville Reservoir-Wanaque South Water Supply project.