

40:60-51.2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:60-51.2

**(Municipal land sales - modification of terms -
certain sales prior to 1979)**

LAWS OF: 1983

CHAPTER: 442

Bill No: S3436

Sponsor(s): Costello

Date Introduced: June 16, 1983

Committee: **Assembly:** Municipal Government

Senate: ---

Amended during passage: No

Date of Passage: **Assembly:** December 8, 1983

Senate: June 27, 1983

Date of Approval: January 9, 1983

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: **Assembly** Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill authorizes municipalities to waive or modify any terms or conditions imposed in certain sales and conveyances of lands sold at public or private sale made prior to January 1, 1979. The limitation of the date prior to this was January 1, 1976.

SENATE, No. 3436

STATE OF NEW JERSEY

INTRODUCED JUNE 16, 1983

By Senator COSTELLO

(Without Reference)

AN ACT concerning the power to waive, release, modify or subordinate building restrictions in certain conveyances by municipalities and amending P. L. 1943, c. 33.

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

1 1. Section 1 of P. L. 1943, c. 33 (C. 40:60-51.2) is amended to
2 read as follows:

3 1. Any municipality is authorized and empowered, by resolution
4 of the governing body thereof, to waive, release, modify or sub-
5 ordinate any terms, covenants, conditions, limitations or reverters
6 imposed in sales and conveyances of lands as to the erection,
7 alteration or demolition of buildings or any other use to be made
8 of land heretofore imposed by said municipality to accomplish the
9 purposes for which such lands were sold and conveyed either at
10 public or private sale made prior to January 1, **[1976]** *1979*, but
11 only after public hearing held before such governing body, of the
12 holding of which notice describing the lands in question, and the
13 terms, covenants, conditions, limitations or reverters to be waived,
14 released, modified or subordinated, and, if to be modified or sub-
15 ordinated, describing the manner in which the same shall be modi-
16 fied or subordinated, shall first have been given by advertisement
17 published once each week for two weeks in a newspaper published
18 in said municipality or, if no newspaper be published therein, then
19 in a newspaper circulating in such municipality, provided, however,
20 that the power herein granted shall not be exercised to impair
21 any vested or contractual rights of third parties.

1 2. This act shall take effect immediately.

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.

STATEMENT

This bill authorizes municipalities to waive or modify any terms or conditions imposed in certain sales and conveyances of lands sold at public or private sale made prior to January 1, 1979. The limitation of the date prior to this was January 1, 1976.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 3436

STATE OF NEW JERSEY

DATED: SEPTEMBER 22, 1983

Senate Bill No. 3436 amends section 1 of P. L. 1943, c. 33 (C. 40:60-51.2) to provide that the governing body of any municipality may waive or modify any terms, conditions, limitations, or reverts concerning the erection, alteration or demolition of buildings or any other limitations concerning the use of the land imposed by the municipality as a condition of a sale or conveyance which occurred prior to January 1, 1979.

The section currently authorizes the governing bodies of municipalities to waive or modify the terms and conditions of sales or conveyances that occurred prior to January 1, 1976.

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CONTACT: PAUL WOLCOTT

TUESDAY, JANUARY 10, 1984

Governor Thomas H. Kean has signed the following bills:

S-892, sponsored by State Senator C. Louis Bassano, R-Union, which requires that persons considering the purchase of portable kerosene heaters be provided with information on the dangers of the device.

S-1102, sponsored by State Senator Walter Rand, D-Camden, which allows county sheriffs to join the Police and Fireman's Retirement System.

S-1968, sponsored by State Senator Leonard T. Connors, Jr., R-Ocean, which authorizes the leasing of public property not needed for public use by either open bidding at auction or by sealed bid, at the option of the local unit.

S-3030, sponsored by State Senator Carmen A. Orechio, D-Essex, which amends the Unfair Cigarette Sales Act of 1952 to provide that normal discounts for cash payments must be deducted from the invoice when "basic cost of cigarettes" is calculated.

S-3436, sponsored by State Senator Herman Costello, D-Burlington, which permits the waiver of a restriction on property conveyed by Burlington City to Mitchel Fire Company that the property must be used for firefighting.

A-2271, sponsored by Assemblyman Wayne R. Bryant, D-Camden, which permits State and Local Governments to provide independent retirement annuities and independent retirement accounts (IRAS) for their employees and permits withholding of wages for such purposes.

A-3177, sponsored by Assemblyman D. Bennett Mazur, D-Bergen, which prohibits the arbitrary eviction of terminally ill tenants in owner-occupied buildings of less than three units.

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BILLS

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TUESDAY, JANUARY 10, 1984

A-3191, sponsored by Assemblyman John P. Doyle, D-Ocean, which makes explicit that the definition of "multiple dwelling" under the Hotel and Multiple Dwelling Law shall include certain complexes of ten or more detached structures on one parcel of land or on contiguous parcels under common ownership.

A-3566, sponsored by Assemblyman Christopher J. Jackman, D-Hudson, which eliminates all references to mandatory retirement ages in the State Police Retirement System.

S-3158, sponsored by State Senator Carmen A. Orechio, D-Essex, which waives the training requirements for persons with ten or more years of experience in any position allowed to opt over to be sheriffs officers.

A-3328, sponsored by Assemblywoman Maureen B. Ogden, R-Essex, which clarifies the meaning of "municipality" as used in the Recycling Act to apply only to municipalities situated within the boundaries of New Jersey.

A-4057, sponsored by Assemblyman Alan J. Karcher, D-Middlesex, which permits secondary mortgage loan companies to make open-ended loans.

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