

40A:12-2J

LEGISLATIVE HISTORY CHECKLIST

(Municipalities--transfer of land to nonprofit organizations)

NJSA 40A:12-21

LAWS 1981

CHAPTER 440

Bill No. A2343

Sponsor(s) Doyle

Date Introduced Jan. 13, 1981

Committee: Assembly County Government

Senate County & Municipal Government

Amended during passage Yes ~~XX~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 11, 1981

Senate Dec. 7, 1981

Date of approval Jan. 9, 1982

Following statements are attached if available:

Sponsor statement Yes ~~XX~~ Also attached: Senate committee amendments (adopted 11-16-81)--with statement

Committee Statement: Assembly Yes ~~XX~~

Senate Yes ~~XX~~

Fiscal Note ~~XXX~~ No

Veto Message ~~XXX~~ No

Message on signing ~~XXX~~ No

Following were printed:

Reports ~~XXX~~ No

Hearings ~~XXX~~ No

Sponsor's statement:

This bill authorizes counties and municipalities to convey real property not needed for county or municipal purposes to county or municipal sewerage authorities for sewerage authority proposes and for a nominal consideration.

6/22/81

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[OFFICIAL COPY REPRINT]  
ASSEMBLY, No. 2343

STATE OF NEW JERSEY

INTRODUCED JANUARY 13, 1981

By Assemblyman DOYLE

Referred to Committee on County Government

AN ACT concerning conveyances by counties and municipalities to county or municipal sewerage authorities 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,  
23 in the case of a county, or of the municipality, in the case of a

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

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 fireman'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 a 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,  
54 with powers to convey said lands and premises to the paraplegic  
55 veterans or veterans on whose behalf said organization or associa-  
56 tion shall acquire title to said land, or

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

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

65 (g) Any duly incorporated nonprofit cemetery organization or  
66 association serving the residents of the municipality or county, or

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

68 *\*[(h)]\* \*(i)\* Any county or municipal sewerage authority serv-*  
69 *ing the residents of the county or municipality, for the use thereof*  
70 *for sewerage authority purposes.*

1 2. This act shall take effect immediately.

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SENATE COMMITTEE AMENDMENTS TO  
ASSEMBLY, No. 2343

STATE OF NEW JERSEY

ADOPTED NOVEMBER 16, 1981

Amend page 2, section 1, after line 67, insert:

“(h) Any duly incorporated nonprofit organization for the principal purpose of the education or treatment of persons afflicted with developmental disabilities including cerebral palsy, or”.

Amend page 2, section 1, line 68, omit “(h)”, insert “(i)”.

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STATEMENT

This amendment conforms the bill with Senate Bill No. 1474 Sca, which previously passed the Senate by a vote of 37-0.

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2343**

**STATE OF NEW JERSEY**

DATED: MAY 14, 1981

Assembly Bill 2343 amends section 21 of the "Local Lands and Buildings Law" (P. L. 1971, c. 199; C. 40A:12-21) to permit the governing body of a local unit to convey real property to a county or municipal sewerage authority for sewerage purposes.

To qualify for such a conveyance, the governing body must determine that the real property in question is not needed for county or municipal purposes. After such determination, the governing body may authorize a private sale and conveyance of the property for a nominal fee or consideration.

The law, as amended, would require that if the conveyed property is not used for sewerage purposes by the authority, title to the property reverts to the county or municipality.

SENATE COUNTY AND MUNICIPAL  
GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2343**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: NOVEMBER 16, 1981

Assembly Bill No. 2343 amends section 21 of the "Local Lands and Buildings Law" (P. L. 1971, c. 199; C. 40A:12-21) to permit the governing body of a local unit to convey real property to a county or municipal sewerage authority for sewerage purposes—

To qualify for such a conveyance, the governing body must determine that the real property in question is not needed for county or municipal purposes. After such determination, the governing body may authorize a private sale and conveyance of the property for a nominal fee or consideration.

The law, as amended, would require that if the conveyed property is not used for sewerage purposes by the authority, title to the property reverts to the county or municipality.

The Senate committee amendments conforms this bill with the provisions of Senate Bill No. 1474 Senate committee amendment, Senate amendment, which previously passed the Senate by a vote of 37-0.