

40A:12-21

LEGISLATIVE HISTORY CHECKLIST

HJSA 40A:12-21

LAWS OF 1977

CHAPTER 87 ("Local Lands and Building Law"--Allow Private Sale to Cemetery Association)

Bill No. S132

Sponsor(s) Russo

Date Introduced Pre-filed

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage Yes No

Date of Passage: Assembly April 18, 1977

Senate March 29, 1976

Date of approval May 14, 1977

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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SENATE No. 182

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator RUSSO

AN ACT to amend the "Local Lands and Buildings Law," approved
June 9, 1971 (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 municipality
5 shall determine that all or any part of a tract of land, with or
6 without improvements, owned by the county or municipality, is not
7 then needed for county or municipal purposes, as the case may be,
8 said governing body, by resolution or ordinance, may authorize a
9 private sale and conveyance of the same, or any part thereof with-
10 out compliance with any other law governing disposal of lands by
11 counties and municipalities for a consideration, which may be
12 nominal, and containing a limitation that such lands or buildings
13 shall be used only for the purposes of such organization or associa-
14 tion, and to render such services or to provide such facilities as
15 may be agreed upon, and not for commercial business trade or
16 manufacture, and that if said lands or buildings are not used in
17 accordance with said limitation, title thereto shall revert to the
18 county or municipality without any entry or reentry made thereon
19 on behalf of such county or municipality, to

20 (a) A duly incorporated volunteer fire company or first aid and
21 emergency or volunteer ambulance or rescue squad association of
22 a municipality within the county, in the case of a county, or of the
23 municipality, in the case of a municipality, for the construction
24 thereon of a firehouse or fire school or a first aid and emergency
25 or volunteer ambulance or rescue squad building or for the use of

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

26 any existing building for any or all of said purposes and any such
27 land or building sold to any duly incorporated volunteer fire com-
28 pany may be leased by such fire company to any volunteer firemen's
29 association for the use thereof for fire school purposes for the
30 benefit of the members of such association, or

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

38 (c) Any duly incorporated nonprofit hospital association for the
39 construction or maintenance thereon of a general hospital[;], or

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

1 2. This act shall take effect immediately.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 182

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 1976

Senate Bill No. 182 authorizes any county or municipality at a private sale and for a nominal sum to dispose of any tract of land, with or without improvements, owned by said county or municipality to any duly incorporated nonprofit cemetery organization or association, when the governing body of said county or municipality deems such land no longer necessary for a public use or purpose. The private sale shall be authorized by ordinance or resolution, as may be appropriate, and shall only be made to associations serving the residents of the county or municipality disposing of the land. Disposition shall be conditioned on the use of such property solely for cemetery purposes.