4:7-39

## LEGISLATIVE HISTORY CHECKLIST

NJSA	_			COPY	NO.	2
Laws of 1975 Chapter	69					
Bill No. Al380						
Sponsor(s) Doyle & Newman						
Date Introduced March 25, 197	74					
Committee: Assembly Agricultu	ire & Enviro	nment				
SenateEnergy, A	Agriculture	& Envi	ronment			
Amended during passage	Yes		Amendments denoted by			ge
Date of passage: Assembly Apri	Ll 29, 1974		· · · · <b>·</b>			
Senate Feb	<b>b.</b> 27, 1975				Angene and the	
Date of approval Apri	il 14, 1975			Z [	***# ***#	
Following statements are attached if available:				o Not Remove From Librar	an the second	
Sponsor statement	Yes	۲		Re	• • • • •	
Committee Statement: Assembly		Nо		B.		
Senate	Yes	-		Se (		
Fiscal Note	Yes				19-19- 19-19-19-19-19-19-19-19-19-19-19-19-19-1	
Veto message	Hes	No		0	No. 4 1	
Nessage on signing	Yes	No			$\bigcirc$	
Following were printed:				D.	Company 2	
Reports	V	No		ar		
Hearings	Yes	, No		$\mathbf{<}$	and apply in the	

**10/4/76** May 1977

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CHAPTER 69 APPROVED 4-14-25

### [SECOND OFFICIAL COPY REPRINT] ASSEMBLY, No. 1380

## STATE OF NEW JERSEY

#### INTRODUCED MARCH 25, 1974

By Assemblymen DOYLE and NEWMAN

Referred to Committee on Agriculture and Environment

AN ACT concerning notice to be given with respect to proposed \*[spraying]\* \*treatment\* or other action with respect to gipsy moth control and amending R. S. 4:7-39.

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

1 1. R. S. 4:7-39 is amended to read as follows:

4:7-39. [At least 10 days before] Before entering any lands and  $\mathbf{2}$ 3 premises and starting the work of abating and suppressing the gipsy moth [and] in its preliminary stages and protecting sur-4 rounding vegetation or plant life therefrom, the department shall  $\mathbf{\tilde{5}}$ cause a notice to be [served personally or by registered mail on] 6 given to the [occupant] occupants of [the] all affected lands and 7 8 premises, setting forth the nature of the action that it is proposed 9 to take and fixing a time therefor, in the following manner:

a. By two separate insertions in a newspaper qualified to accept
legal notices published in the county of the proposed \*[spraying]\*
\*treatment\* or other action and circulating in the affected area.
The two insertions shall appear at least 7 days apart, the first of
which shall be not carlier than 21 days prior to the proposed date of
\*[spraying]\* \*treatment\* or other action and the second of which
shall be not later than 7 days prior to the proposed date thereof,
and

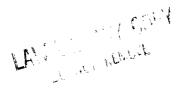
\*[b. By posting notice of the proposed spraying or other action
on each affected parcel of property or by mailing a notice by
regular first class mail to the occupant of each affected parcel of
property.

21 Either method shall be completed no later than 10 days prior to
22 the proposed date of spraying or other action.]\*

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

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- 23 \*b. By mailing a notice by regular first class mail to the occupant
- 24 of each affected parcel of property no later than 10 days prior to
- 25 the proposed date of treatment or other action.\*
- 2. This act shall take effect \*[immediately]\* \*\*[\*on January 1,
   2 1975\*]\*\* \*\*immediately\*\*.



## ASSEMBLY, No. 1380

# STATE OF NEW JERSEY

#### INTRODUCED MARCH 25, 1974

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2 of New Jersey:

1 1. R. S. 4:7–39 is amended to read as follows:

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11 legal notices published in the county of the proposed spraying or 12 other action and circulating in the affected area. The two inser-13 tions shall appear at least 7 days apart, the first of which shall be 14 not earlier than 21 days prior to the proposed date of spraying or 15 other action and the second of which shall be not later than 7 days 16 prior to the proposed date thereof, and

b. By posting notice of the proposed spraying or other action
on each affected parcel of property or by mailing a notice by
regular first class mail to the occupant of each affected parcel of
property.

21 Either method shall be completed no later than 10 days prior to 22 the proposed date of spraying or other action.

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.

A1380 (1974) 2

#### STATEMENT

The statute to be amended was enacted in 1921 before the use of aerial spraying. The statute, however has been made applicable to such spraying by recent court decision. The notice requirements have forced upon afflicted municipalities an unduly expensive burden out of proportion to the problem involved. The proposed revision would preserve sufficient notice but would save the municipalities involved a substantial sum of money.

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#### SENATE ENERGY, AGRICULTURE AND ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1380

[Official Copy Reprint] with Senate committee amendments

## STATE OF NEW JERSEY

#### DATED: FEBRUARY 4, 1975

Assembly, No. 1380, OCR concerns the type of notice to be given regarding proposed spraying or other action concerning gypsy moth control. The act amends R. S. 4:7–39 by removing the requirement that notice be served personally or by registered mail and by requiring that notice be given to the occupants of all affected lands by two insertions in a newspaper and by mailing a notice by regular first class mail. The Department of Agriculture indicates that passage of this bill would save some money for municipalities by eliminating the existing requirement that notification be by certified mail.

### FISCAL NOTE TO ASSEMBLY, No. 1380 [OFFICIAL COPY REPRINT]

# STATE OF NEW JERSEY

#### **DATED: JUNE 4, 1974**

The Official Copy Reprint of Assembly Bill No. 1380 prescribes the required notice to be given with respect to proposed spraying or other action regarding gypsy moth control.

The Department of Agriculture states that enactment of this legislation will provide some savings to municipalities by eliminating an existing requirement that spray notification be issued by certified mail. What the total saving to municipalities would be, however, is not known.

This legislation would not affect State funds.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.