

40:32-7.9 et. seq.

LEGISLATIVE HISTORY CHECKLIST

NJSA 40:32-7.9 to 40:32-7.13

Laws of 1975 Chapter 343

Bill No. S 1208

Sponsor(s) Dwyer, Fay & Lynch

Date Introduced May 13, 1974

Committee: Assembly County Gov't.

Senate County & Municipal Gov't.

Amended during passage No

Date of passage: Assembly Jan. 5, 1976

Senate July 14, 1975

Date of approval March 3, 1976

Following statements are attached if available:

Sponsor statement No

Committee Statement: Assembly No

Senate Yes

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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SENATE, No. 1208

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1974

By Senators DWYER, FAY and LYNCH

Referred to Committee on County and Municipal Government

AN Act to amend "An act authorizing the board of chosen freeholders of any county in which a park commission shall not have been established to acquire land for use as a public golf course and other recreational facilities, and to improve, maintain, and operate the same," approved June 30, 1958 (P. L. 1958, c. 94).

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

1 1. Section 4 of P. L. 1958, c. 94 (C. 40:32-7.9) is amended to
2 read as follows:

3 4. The board of chosen freeholders may assign general super-
4 vision and control over the maintenance, operation and regulation
5 of any such public golf course, and of all recreational, playground
6 and public entertainment activities carried on [in connection there-
7 with] *by the county* to any department of the county government,
8 or, by resolution, provide for such supervision by the county
9 recreation commission or by a board of commissioners, to be
10 appointed by the board of freeholders to so serve without com-
11 pensation.

1 2. Section 5 of P. L. 1958, c. 94 (C. 40:32-7.10) is amended to
2 read as follows:

3 5. The board of chosen freeholders may annually appropriate
4 money to be raised by taxation to develop, maintain, and operate
5 a public golf course and all form of recreation, playground, and
6 public entertainment activities carried on [in connection therewith]
7 *by the county.*

1 3. Section 6 of P. L. 1958, c. 94 (C. 40:32-7.11) is amended to
2 read as follows:

3 6. The board of chosen freeholders may establish, charge, and
4 collect reasonable fees, rents or other charges for admission to,
5 use or enjoyment of any property developed or used in whole or in

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

6 part for a public golf course *or for such other recreational, play-*
7 *ground or public entertainment purposes and activities.* And it
8 may establish, charge, and collect reasonable fees, rents or other
9 charges for any recreational privilege, entertainment, or other
10 activity conducted on said premises or any part thereof.

1 4. Section 7 of P. L. 1958, c. 94 (C. 40:32-7.12) is amended to
2 read as follows:

3 7. The board of chosen freeholders may by resolution make,
4 alter, amend, and repeal rules and regulations for the supervision,
5 regulation and control of all activities carried on, conducted, spon-
6 sored, arranged, or provided for in connection with a public golf
7 course *or other county recreational, playground or public enter-*
8 *tainment facility,* and for the protection of property, and may pre-
9 scribe and enforce fines and penalties for the violation of any such
10 rule or regulation.

1 5. Section 8 of P. L. 1958, c. 94 (C. 40:32-7.13) is amended to
2 read as follows:

3 8. The municipal court of the municipality in which the public
4 golf course *or other county recreational, playground or public*
5 *entertainment facility* is located shall have jurisdiction in actions
6 for the violation of any such rule or regulation. The rules and
7 regulations shall be enforced by the same proceedings and pro-
8 cesses, and the practice for the enforcement thereof shall be the
9 same as that provided by law for the enforcement of other
10 ordinances of the municipality.

1 6. This act shall take effect immediately.

(SENATE COMMITTEE)

STATEMENT TO

SENATE, No. 1208

STATE OF NEW JERSEY

DATED: JUNE 23, 1975

Senate Bill 1208 authorizes the board of chosen freeholders of any county which has not established a county park commission to provide and appropriate moneys for general recreational, playground and public entertainment activities. At present such counties are authorized to provide recreational, playground and other public entertainment activities only in conjunction with the operation of a public golf course. These new recreational activities could, conceivably, be administered through the same county agency, department, recreation commission or board of commissioners as administers a county's golf course pursuant to P. L. 1958, c. 94 (C. 40:32-7.6 et seq.).

Senate Bill 1208 additionally allows a county electing to operate pursuant to c. 94, as amended by this bill, to:

1. Charge and collect reasonable fees, rents or other charges for the use of such facilities;
2. To adopt rules and regulations therefor; and
3. To enforce any violations of its rules or regulations in the municipal court of the municipality in which the county facility is located.

It should be noted that a county operating pursuant to P. L. 1958, c. 94 is authorized to incur long-term indebtedness for the purpose of effectuating the purposes of that act.

County park commissions and county recreation authorities in first class counties already enjoy the general powers granted by the provisions of this bill (see C. 40:37-95.13 and C. 40:37B-10).