

CHAPTER 64 LAWS OF N. J. 1973

3/22/73

ASSEMBLY, No. 1221

STATE OF NEW JERSEY

INTRODUCED MAY 18, 1972

By Assemblywoman MARGETTS, Assemblymen COLASURDO,
McMANIMON, MABIE and FORAN

Referred to Committee on Agriculture, Conservation
and Natural Resources

AN ACT to amend "An act creating and establishing in the Division of Parks, Forestry and Recreation a Natural Lands Trust, prescribing its functions, powers and duties, and making an appropriation," approved January 23, 1969 (P. L. 1968, c. 425) and making an appropriation.

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

1 1. Section 1 of P. L. 1968, c. 425 (C. 13:1B-15.119) is amended
2 to read as follows:

3 1. There is hereby created and established in the Division of
4 Parks, Forestry and Recreation of the Department of [Conserva-
5 tion and Economic Development] *Environmental Protection*, a
6 body corporate and politic with corporate succession, to be known
7 as the New Jersey Natural Lands Trust. The trust is hereby
8 constituted an instrumentality exercising public and essential gov-
9 ernment functions and the exercise by the trust of the powers
10 conferred by this act shall be deemed and held to be an essential
11 government function of the State.

1 2. Section 2 of P. L. 1968, c. 425 (C. 13:1B-15.120) is amended
2 to read as follows:

3 2. The powers and duties of the trust shall vest in and be exer-
4 cised by a board of 11 trustees comprised initially of the six mem-
5 bers of the Natural Areas Council, who shall serve for terms co-
6 extensive with their respective terms on the council, and shall be
7 succeeded by trustees appointed by the Governor from a list of
8 candidates nominated by a nominating committee provided by a
9 group of nonprofi New Jersey corporations having open space
10 preservation or environmental education as their corporate pur-

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

11 pose, such as North Jersey Conservation Foundation, New Jersey
 12 Audubon Society, Rutgers, The State University, New Jersey Fed-
 13 eration of Women's Clubs, Conservation and Garden Department,
 14 New Jersey Federation of Garden Clubs, and Watershed Associ-
 15 ations incorporated in the State of New Jersey. Organizations
 16 must apply to the trustees in order to provide one member to the
 17 nominating committee. The trustees thus appointed will serve for
 18 3-year terms, each of whom will continue to serve until succeeded.
 19 **【The trustees may select other organizations if for some reason one**
 20 **or more of the above-named groups become nonfunctional.】** The
 21 remaining trustees shall be: a member of the State House Com-
 22 mission designated by the Governor, and by virtue of their offices,
 23 the State Treasurer, the Commissioner of the Department of
 24 **【Conservation and Economic Development, the Chairman of the**
 25 **Parks, Forestry and Recreation Council, and the Chief of the**
 26 **Natural Areas Section】** *Environmental Protection and two mem-*
 27 *bers of the staff of the Department of Environmental Protection*
 28 *designated by the commissioner, or their respective representatives.*
 29 The Chairman of the Board of Trustees of the Natural Lands
 30 Trust shall be elected by the trustees.

31 The concurrence of **【seven】** *six* members of the board shall be
 32 necessary to the validity of all acts of the board. At least one
 33 member of this majority must be an official of the State Govern-
 34 ment represented on the board.

1 3. Section 4 of P. L. 1968, c. 425 (C. 13:1B-15.122) is amended
 2 to read as follows:

3 4. The New Jersey Natural Lands Trust shall have the power:

4 (a) To sue and be sued in its own name, but the trustees shall
 5 be held harmless for acts performed in good faith;

6 (b) To adopt a seal and alter the same at pleasure;

7 (c) To adopt bylaws for the regulation of its affairs and the
 8 conduct of its business;

9 (d) To maintain an office or offices at such a place or places
 10 within the State as it may designate;

11 (e) To appoint such officers, who need not be members of the
 12 trust, in addition to a secretary and a treasurer, as the trust
 13 shall deem advisable, and to employ such other employees and
 14 agents as may be necessary or desirable in its judgment, to fix
 15 their compensation, and to promote and discharge such officers,
 16 employees and agents all without regard to the provision of Title
 17 11, Civil Service, of the Revised Statutes;

18 (f) To acquire in the name of the trust, hold and dispose of
 19 personal property and lands in the exercise of its powers and the
 20 performance of its duties under this act;

21 (g) To apply for and accept any grant of money from the Fed-
22 eral Government, subject to the approval of the Commissioner of
23 the Department of **【Conservation and Economic Development】**
24 *Environmental Protection*, which might be or may become available
25 for programs relating to natural areas preservation, research, or
26 interpretation, and to subscribe to and comply with any rule or
27 regulation made by the Federal Government with respect to the
28 application of such a grant, and to enter into and perform any
29 contract or agreement with respect to the application of such a
30 grant;

31 (h) To make, enter into and perform all contracts and agree-
32 ments necessary or incidental to the performance of its duties and
33 the execution of its powers under this act;

34 (i) To do all acts and things necessary or convenient to carry
35 out the powers expressly granted in this act;

36 (j) To hold and use all lands in said trust for educational and
37 research purposes.

1 4. Section 5 of P. L. 1968, c. 425 (C. 13:1B-15.123) is amended
2 to read as follows:

3 5. The trust shall have power in particular:

4 (a) To accept gifts, legacies, bequests and endowments for any
5 purpose which falls within that of the trust and, unless otherwise
6 specified by the person making such a gift, legacy, bequest and
7 endowment of money in furtherance of the trust, to invest the
8 same in whole or in part in general obligations of the State of
9 New Jersey;

10 (b) To acquire and hold real and personal property and lands
11 significant as natural areas by gift, purchase, devise, bequest or
12 by any other means and to preserve, interpret and administer such
13 properties; in the acquisition of such properties, to acquire prop-
14 erties deemed necessary for the proper use and administration of
15 natural areas property;

16 (c) To apply all moneys, assets, property or other things of
17 value it may receive as an incident to its operation to the general
18 purpose of the trust;

19 (d) To cooperate with and assist, insofar as practicable, any
20 agency of the State or any of its political subdivisions, and any
21 private agency or person in furtherance of the purposes of the
22 trust;

23 (e) To give any moneys or property held by the trust to the
24 Commissioner of the Department of **【Conservation and Economic**
25 **Development】** *Environmental Protection* on behalf of the State,

26 for the purpose of administering, operating or maintaining the
27 natural areas programs of the State of New Jersey.

1 5. Section 7 of P. L. 1968, c. 425 (C. 13:1B-15.125) is amended
2 to read as follows:

3 7. The trust may not hold, receive or accept any moneys or other
4 property, real or personal, tangible or intangible which will result
5 in the incurrence of any financial obligations on the part of the
6 State of New Jersey, without express approval of the Commis-
7 sioner of the Department of [Conservation and Economic Develop-
8 ment] *Environmental Protection* or the Legislature.

1 6. There is hereby appropriated to the Department of Environ-
2 mental Protection for the purposes of this act the sum of \$9,500.00.

1 7. This act shall take effect immediately.

SENATE AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1221

STATE OF NEW JERSEY

DATED: FEBRUARY 5, 1973

This act amends the act which establishes a Natural Lands Trust and appropriates \$9,500.00 for the trust.

NOTATIONS

A 1205 Bornheimer, Froude, Hamilton, Fay, A. Klein, Gorman, Gwierz, H. Stewart, Baer
 May 15—Authorizes the Turnpike Authority to conduct a study of the feasibility and practicability of installing a monorail or other mass transportation system within the right-of-way of the Turnpike; requires a report 120 days after enactment.
 May 15—Transportation & Pub. Util. Com.
 Apr. 9, 1973—Reported with com. amend.
 Apr. 9, 1973—2nd reading.
 Apr. 30, 1973—Passed in Assembly, amended. (67-0)
 May 21, 1973—Received in Senate.
 May 21, 1973—Transportation & Communications Com.

A 1206 McManimon, Woodson, DeKorte, Horn, Foran, Weidel, Koloziej
 May 15—Requires alcoholic beverage tax reports to be made every two months rather than monthly.
 May 18—Passed in Assembly. (72-0)
 July 17—Passed in Senate, amended. (27-0)
 July 17—Sen. amend. passed in Assembly. (54-0)
 Sep. 27—Approved, Chapter 162, 1972.

A 1207 Fay, Froude, Bornheimer, Baer
 May 15—Permits a municipality to impose a civil penalty not in excess of \$2,500, for violation of an ordinance designed to control air pollution.
 May 15—Municipal Gov't Com.
 Jan. 15, 1973—Reported, 2nd reading.
 Jan. 22, 1973—Passed in Assembly. (67-1)
 Jan. 22, 1973—Received in Senate.
 Jan. 22, 1973—County & Mun. Gov't Com.

A 1208 Menza, Fay, Florio, Higgins
 May 15—Designated the "Regional Flood Control Authorities Law," provides for the creation of county or municipal flood control authorities.
 May 15—Agric., Cons. & Natural Resources Com.

A 1209 (S 673-1972 w/c) Failla, P. Stewart, Wallace, Foran
 May 15—Increases from 1½% to 3% of the latest apportionment valuation of ratables of any municipality that may be appropriated for schools in Type 1 districts.
 May 15—Education Com.

A 1210 Ewing, Horn, Woodson, Weidel
 May 11—Removes a number of titles and salary ranges in the Executive Branch from the statutory law; effective June 24, 1972.
 June 15—Passed in Assembly. (56-5)
 July 17—Passed in Senate. (21-3)
 July 21—Approved, Chapter 104, 1972.

A 1211 Merck, Fenwick, Hicks, Owens
 May 15—Requires any child adjudged to be guilty of any acts of juvenile delinquency to be committed exclusively to the care, custody and control of the Bureau of Children's Services.
 May 15—Institutions & Welfare Com.

A 1212 Merck, Fenwick, Hicks, Owens
 May 15—Provides that whenever any child is placed in the care, custody and control of the Bureau of Children's Service as a result of being adjudged guilty of acts of delinquency, the Bureau shall find a placement for him within 30 days in a foster home or other suitable home or facility.
 May 15—Institutions & Welfare Com.

A 1213 Yates, Barbour
 May 18—Authorizes municipalities to enact ordinances providing for the fining of parents or guardians whose failure to exercise control over any juvenile 17 years of age or under in their custody results in said juvenile damaging property or committing acts of juvenile delinquency.
 May 18—Law, Public Safety & Defense Com.

A 1214 Barbour, Yates, Horn
 May 18—Provides that if an applicant fails to pass the mortuary science examination, he may be re-examined at the next or any subsequent regular examination.
 Feb. 5, 1973—Passed in Assembly. (67-0)
 Apr. 26, 1973—Passed in Senate. (32-0)
 Oct. 24, 1973—Approved, Chapter 236, 1973.

A 1215 Burstein, H. Klein, Barbour, Yates, Hamilton
 May 18—Provides for binding arbitration in public employer-employee disputes involving school districts.
 May 18—Education Com.
 Nov. 29—Comm. given 24 hours notice.

A 1216 Black, H. Stewart
 May 18—Increases from \$25,000 to \$40,000 the amount that any county may contribute to a county firemen's association for the operation of emergency operating control centers.
 May 18—County Gov't Com.

A 1217 (S 992 OCR-1972) Deverin
 May 15—Extends to persons 18 years of age and older certain powers, obligations and legal capacity heretofore applicable only to persons 21 years of age or older, including purchase of alcoholic beverages.
 May 18—Substituted by S 992.

A 1218 Orechio, Bassano, Kiehn
 May 18—Regulates the equipment and operation of buses used to transport senior citizens, prescribes the duty of motorists in relation to senior citizens' buses; effective 120 days after enactment.
 May 18—Transportation & Pub. Util. Com.

A 1219 Orechio, Baer
 May 18—Permits municipal and county governing bodies and school boards to remove a member thereof from office for failure to attend meetings of the governing body or board for a period of at least 12 months.
 May 18—Municipal Gov't Com.
 Apr. 9, 1973—Reported, 2nd reading.
 Apr. 12, 1973—Amended.
 Apr. 12, 1973—2nd reading, amended.
 Jan. 8, 1974—Recommitted.

A 1220 Imperiale
 May 18—Requires any person who receives a motor vehicle to be junked or scrapped, to remove the identification number plate or trace the identification number from the engine of the vehicle and forward same to the Director of Motor Vehicles.
 May 18—Transportation & Pub. Util. Com.

A 1221 Margetts, Colasurdo, McManimon, Mabie, Foran
 May 18—Appropriates \$9,500 for the Natural Lands Trust, changes membership of the Natural Lands Trust.
 Nov. 27—Passed in Assembly. (68-0)
 Feb. 8, 1973—Passed in Senate. (34-0)
 Mar. 22, 1973—Approved, Chapter 64, 1973.

A 1222 Kean
 May 18—Increases to \$2,100 or 50% of contributions to annuity savings fund, whichever is greater, the annual accidental death benefits payable to a widow of a municipal or county police or fireman.
 May 18—Municipal Gov't Com.

A 1223 Froude, Hamilton, Kolodziej, Bornheimer, Fay, Deverin
 May 18—Permits removable school crossing type signs under the direct supervision of school authorities or municipal police to be placed on either side or in the center of a roadway.
 May 18—Transportation & Pub. Util. Com.
 Apr. 9, 1973—Reported with com. amend.
 Apr. 9, 1973—2nd reading.
 Apr. 30, 1973—Passed in Assembly, amended. (68-0)
 May 21, 1973—Received in Senate.
 May 21, 1973—Transportation & Communications Com.

A 1224 Foran, Weidel, Dawes
 May 18—Permits each county to use the supply of voter registration forms on hand on the effective date of A 1 OCR, 1972, eliminating indication of marital status of a woman.
 May 18—Rev. & Amend. of Laws Com.

A 1225 Hawkins, Sinsimer, Pellecchia, P. Stewart
 May 18—Prescribes the penalties for kidnapping.
 May 18—Law, Public Safety & Defense Com.

A 1226 Bornheimer, Froude, Hamilton, Kolodziej, Fay, Bedell, A. Klein, Perskie, Deverin, H. Klein
 May 18—Provides for the demonstration of new techniques for recycling solid waste; appropriates \$900,000.
 May 18—Agric., Cons. & Natural Resources Com.

A 1227 Baer, Burstein, Hawkins, Horn, Woodson, McManimon, Wilkerson, A. Klein, Sinsimer, Pellecchia, Hicks
 May 18—Extends coverage of the Wage and Hour Law to employees engaged in domestic service.
 May 18—Labor Relations Com.
 Apr. 9, 1973—Reported with com. amend.
 Apr. 9, 1973—2nd reading.
 Jan. 8, 1974—Recommitted.

A 1228 McDonough, Manner
 May 18—Eliminates the maximum distance that a "constructor" vehicle may be operated from the headquarters of the construction operation; increases the truck registration fees.
 May 18—Transportation & Pub. Util. Com.
 June 19—Reported with com. amend.
 June 19—2nd reading.
 July 6—Passed in Assembly, amended. (61-0)
 July 17—Received in Senate.
 July 17—Transportation & Communications Com.
 Feb. 5, 1973—Reported, 2nd reading.
 Feb. 8, 1973—Laid over.
 Jan. 8, 1974—Recommitted.

A 1229 Burstein, Baer, Kolodziej, Hamilton, H. Klein
 May 18—Reduces from 20 to 10 years the statutory period for continued validity of judgements.
 May 18—Judiciary Com.

A 1230 H. Stewart
 May 18—Designated the "Automobile Reparation Reform Act," provides for compulsory automobile liability insurance coverage and personal injury protection coverage regardless of fault in certain cases; requires certain reductions in premium charges.
 May 18—Insurance Com.

A 1231 Russo
 June 15—Requires every motor vehicle to be equipped with a hand-operated fire extinguisher and portable emergency warning devices; effective 90 days after enactment.
 June 15—Transportation & Pub. Util. Com.

A 1232 Sinsimer, Deverin, Fay, Froude, Pellecchia, Bedell, Bornheimer
 June 15—Prohibits any employer to require an employee to work on certain high-voltage lines.
 Feb. 13, 1973—Passed in Assembly. (42-3)
 Apr. 26, 1973—Passed in Senate, amended. (32-0)
 Apr. 30, 1973—Senate amend. passed in Assembly. (63-0)
 Jan. 8, 1974—Vetoed by the Governor.

A 1233 Failla
 June 15—Provides for the retirement after 35 years service of police and firemen who have received certain citations during their military service.
 June 15—Municipal Gov't Com.

A 1234 Failla, Wallace
 June 15—Removes the requirement for a public employee veteran to have continuous 20 years of service to retire at age 55. (FN-State \$1,300,000, 72-3; \$1,430,000, 73-4; Local \$1,500,000, 72-3; \$1,615,000, 73-4)
 June 15—State Gov't Com.

A 1235 Florio, Fay
 June 15—Provides for compensation at not more than 1½ times the prevailing rate for police and firemen during an "emergency."
 June 15—Municipal Gov't Com.

A 1236 Froude, Bornheimer, Fay, Deverin, Hamilton, Kolodziej, Baer, Barbour
 June 15—Provides for the education of risk susceptible children; inoperative for 90 days following enactment.
 June 15—Institutions & Welfare Com.
 Mar. 26, 1973—Reported with com. amend.
 Mar. 26, 1973—2nd reading.
 Apr. 12, 1973—Passed in Assembly, amended. (62-0)
 Apr. 12, 1973—Received in Senate.
 Apr. 12, 1973—Education Com.

A 1237 Orechio, Bassano
 June 15—Requires municipal tax assessors to publish their assessment lists after each periodical reevaluation to comply with the 100% of true value state mandated tax equalization.
 June 15—Taxation Com.