



## ***LEGISLATIVE HISTORY CHECKLIST***

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**LAWS OF:** 1998

**CHAPTER:**23

**NJSA:** 46:23-9.10 et al  
"Map filing -- 'right of way' "

**BILL NO:** S400 (Substituted for A1625)

**SPONSOR(S):** Ciesla and Allen

**DATE INTRODUCED:**January 20, 1998

**COMMITTEE:**

***ASSEMBLY:*** Transportation

***SENATE:***Transportation

**AMENDED DURING PASSAGE:**Yes

**DATE OF PASSAGE:**

***ASSEMBLY:*** May 18, 1998

***SENATE:***March 30, 1998

**DATE OF APPROVAL:** June 4, 1998

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### **THE FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** 4<sup>th</sup> reprint  
(Amendments during passage denoted by superscript numbers)

**S400**

**SPONSORS STATEMENT:** *Yes* (Begins on page 2 of original bill)

**COMMITTEE STATEMENT:**

**ASSEMBLY:** *Yes*

**SENATE:** *Yes*

**FLOOR AMENDMENT STATEMENTS:** *Yes*

**3-16-98**

**3-30-98**

**LEGISLATIVE FISCAL ESTIMATE:** *No*

## **A1625**

**SPONSORS STATEMENT:** *Yes* (Begins on page 2 of original bill)  
(Bill and Sponsors Statement identical to S400)

**COMMITTEE STATEMENT:**

**ASSEMBLY:** *Yes* (Identical to Assembly Statement for S400)

**SENATE:** *No*

**FLOOR AMENDMENT STATEMENTS:** *No*

**LEGISLATIVE FISCAL ESTIMATE:** *No*

**VETO MESSAGE:** *No*

**GOVERNOR'S PRESS RELEASE ON SIGNING:** *Yes*

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### **THE FOLLOWING WERE PRINTED:**

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**REPORTS:** *No*

**HEARINGS:** *No*

**NEWSPAPER ARTICLES:** *No*

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[Fourth Reprint]

**SENATE, No. 400**

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**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

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INTRODUCED JANUARY 20, 1998

**Sponsored by:**

**Senator ANDREW R. CIESLA**

**District 10 (Monmouth and Ocean)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

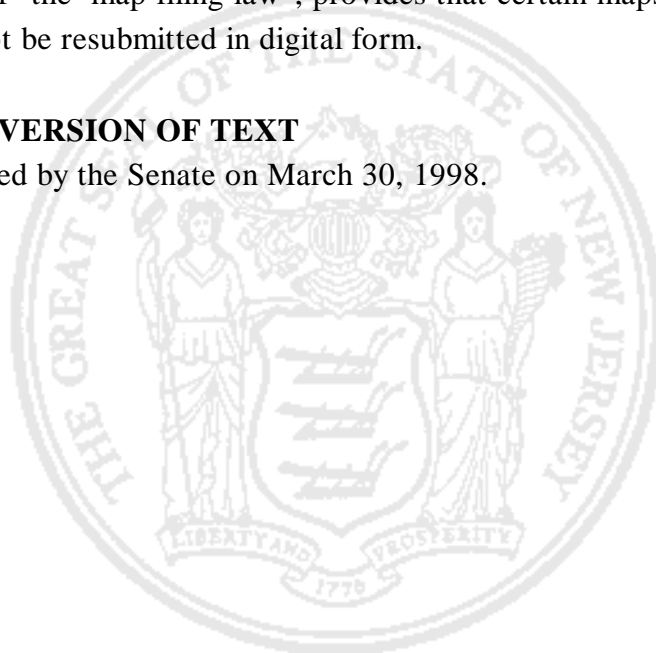
**Assemblymen DeCroce, Bodine and O'Toole**

**SYNOPSIS**

Excludes certain right of way parcel maps and subdivision plats from the provisions of "the map filing law"; provides that certain maps filed with the DEP need not be resubmitted in digital form.

**CURRENT VERSION OF TEXT**

As amended by the Senate on March 30, 1998.



**(Sponsorship Updated As Of: 3/17/1998)**

1 AN ACT concerning <sup>2</sup>**[right of way parcel]** the filing of certain<sup>2</sup>  
2 maps<sup>1,1</sup> <sup>2</sup>**[and]**<sup>2</sup> amending <sup>1</sup>**[P.L.1997, c.211]** and supplementing  
3 P.L.1960, c.141<sup>1</sup> <sup>2</sup>and supplementing P.L.1990, c.78 (C.58:10-  
4 23.11d1 et at.)<sup>2</sup>.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

8  
9 1. <sup>1</sup>**[Section 5 of P.L.1997, c.211 is amended to read as follows:**  
10 5. This act shall take effect immediately, except that the provisions  
11 of this act shall not apply to the filing and preparation of right of way  
12 parcel maps, as defined in subsection f. of section 2 of P.L.1960, c.141  
13 (C.46:23-9.10), which were prepared, or in the process of being  
14 prepared, prior to January 1, 1998, including any amendments to such  
15 right of way parcel maps, notwithstanding that the amendments may  
16 be adopted on or after January 1, 1998.  
17 (cf: P.L.1997, c.211, s.5.)**]**

18 (New section) a. The provisions of P.L.1997, c.211 shall not apply  
19 to the filing of any right of way parcel map in connection with projects  
20 for which construction bids are advertised on or prior to July 1, 2001.  
21 For the purposes of this section, the advertising of construction bids  
22 shall mean the first publication for the solicitation of bids for work and  
23 material for a highway, road or street project. The provisions of  
24 P.L.1997, c.211 shall apply to the filing of right of way parcel maps  
25 after July 1, 2001.

26 b. All right of way parcel maps, and amendments thereto, of the  
27 State, or any county or municipality showing acquisitions and  
28 associated easements for projects for which construction bids are  
29 advertised on or prior to July 1, 2001 may be filed with the county  
30 recording officer at any time without meeting the requirements of  
31 P.L.1997, c.211, so long as certification as to the date of the  
32 advertisement notice is produced when requested by the county  
33 recording officer.

34 c. The plot plan which is required to be included as part of a  
35 declaration of taking under paragraph (c) of section 17 of P.L.1971,  
36 c.361 (C. 20:3-17) need only meet the accuracy standards of a right of  
37 way parcel map.

38 d. The scale of the maps and the dimensions depicted upon right of  
39 way parcel maps may be in Metric or English at the discretion of the

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate STR committee amendments adopted February 23, 1998.

<sup>2</sup> Assembly ATR committee amendments adopted March 2, 1998.

<sup>3</sup> Assembly floor amendments adopted March 16, 1998.

<sup>4</sup> Senate floor amendments adopted March 30, 1998.

1 preparer.

2 e. In addition to sizes set forth in P.L. 1997, c.211, a map size of  
3 22 inches by 36 inches shall be acceptable for right of way parcel  
4 maps.<sup>1</sup>

5

6 <sup>1</sup>2. Section 2 of P.L.1960, c.141 (C.46:23-9.10) is amended to  
7 read as follows:

8 46:23-9.10 Definitions.

9 2. Definitions. As used in this act:

10 a. "Map" means a map, plat, condominium plan, right of way parcel  
11 maps of the State, county or municipality, chart, or survey of lands  
12 presented for approval to the proper authority as hereinafter defined  
13 or presented for filing in accordance with the provisions of this act,  
14 but does not mean a map, plat or sketch required to be filed or  
15 recorded under the provisions of P.L.1957, c.130 (C.48:3-17.2).

16 b. "Municipal Engineer" means the official licensed professional  
17 engineer appointed by the proper authority of the municipality wherein  
18 the territory shown on a map is situate.

19 c. The term "Professional Engineer" **【**within the intent of this act  
20 shall mean a person, who is qualified to practice professional  
21 engineering and as attested by his license as a professional engineer  
22 as provided by subsection a. of section 2 of P.L.1938, c.342  
23 (C.45:8-28)**】** means a person who is legally authorized to practice  
24 professional engineering in this State in accordance with the provisions  
25 of P.L.1938, c.342 (C.45:8-27 et seq.).

26 d. The term "Land Surveyor" **【**as used in this act shall mean a  
27 person who is qualified to practice land surveying, and as attested by  
28 his license as a land surveyor as provided by subsection d. of section  
29 2 of P.L.1938, c.342 (C.45:8-28)**】** means a person who is legally  
30 authorized to practice land surveying in this State in accordance with  
31 the provisions of P.L.1938, c.342 (C.45:8-27 et seq.).

32 e. "Proper authority" means the chief legislative body of a  
33 municipality or any other agencies to whom the authority for the  
34 approval of maps may be duly designated by ordinance.

35 f. "Right of way parcel map" means any **【**right of way**】** general  
36 property parcel map of the State, county or municipality which shows  
37 highways, roads or street **【**takings**】** acquisitions and any associated  
38 easements for highway, road or street rights of way.

39 g. "Entire tract" means all of the property that is being subdivided  
40 including lands remaining after subdivision.

41 h. "Condominium plan" means a survey of the condominium  
42 property in sufficient detail to show and identify common elements,  
43 each unit and their respective locations and appropriate dimensions,  
44 which shall be filed in accordance with the requirements of section 3  
45 of P.L.1960, c.141 (C.46:23-9.11). A condominium plan shall bear a  
46 certification by a land surveyor, professional engineer or architect

1 authorized and qualified to practice in this State setting forth that the  
2 plan constitutes a correct representation of the improvements  
3 described.

4 i. "General property parcel map" means any right of way parcel  
5 map showing a grouping of parcel and easement acquisitions for part  
6 of a section of a highway, road or street project.<sup>1</sup>

7 (cf: P.L.1997, c.211, s.1)

8

9 <sup>2</sup>3. (New Section) The provisions of P.L.1997, c.211 shall not  
10 apply to the filing of any subdivision plat that was granted final  
11 approval by a municipal approving authority pursuant to the  
12 "Municipal Land Use Law," P.L.1975,c.291 (C.40: 55D-1 et seq.) on  
13 or prior to July 1, <sup>3</sup>[2001] 1999<sup>3, 2</sup>.

14

15 <sup>2</sup>4. (New Section) <sup>4</sup>[a.]<sup>4</sup> Notwithstanding the provisions of  
16 section 6 of P.L.1990, c.78 (C.58:10-23.11d6) or any other law, rule  
17 or regulation to the contrary, the Department of Environmental  
18 Protection shall not require a map required to be filed pursuant to  
19 P.L.1990, c.78 (C.58:10-23.11d1 et al.) and filed with the department  
20 on or before the effective date of this section to be resubmitted in  
21 digital form <sup>4</sup>[. The department shall not require an amendment or  
22 change to that map to be submitted in digital form prior to January 1,  
23 2001.

24 b. After the effective date of this section, the department may  
25 require that the initial filing of a map required to be filed pursuant to  
26 P.L.1990, c.78 (C.58:10-23.11d1 et al.) and any amendment or change  
27 to that map to be submitted in digital form.<sup>2</sup>] prior to January 1,  
28 2000.<sup>4</sup>

29

30 <sup>1</sup>[2.] <sup>2</sup>[3. <sup>1</sup>] <sup>5.</sup> <sup>2</sup> This act shall take effect immediately and <sup>1</sup>  
31 <sup>2</sup>sections 1, 2 and 3<sup>2</sup> shall be retroactive to August 18, 1997<sup>1</sup>.

**SENATE, No. 400**

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**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

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INTRODUCED JANUARY 20, 1998

**Sponsored by:**

**Senator ANDREW R. CIESLA**

**District 10 (Monmouth and Ocean)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**SYNOPSIS**

Excludes certain right of way parcel maps from the provisions of "the map filing law."

**CURRENT VERSION OF TEXT**

As introduced.



S400 CIESLA, ALLEN

2

1 AN ACT concerning right of way parcel maps and amending P.L.1997,  
2 c.211.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 5 of P.L.1997, c.211 is amended to read as follows:

8 5. This act shall take effect immediately, except that the provisions  
9 of this act shall not apply to the filing and preparation of right of way  
10 parcel maps, as defined in subsection f. of section 2 of P.L.1960, c.141  
11 (C.46:23-9.10), which were prepared, or in the process of being  
12 prepared, prior to January 1, 1998, including any amendments to such  
13 right of way parcel maps, notwithstanding that the amendments may  
14 be adopted on or after January 1, 1998.

15 (cf: P.L.1997, c.211, s.5.)

16

17 2. This act shall take effect immediately.

18

19 STATEMENT

20

21 This bill grandfathers completed mapping and mapping in progress  
22 prior to January 1, 1998 with respect to any right of way property  
23 parcel maps of the State, county or municipality that show highways,  
24 roads or street takings and any associated easements from the  
25 requirements of "the map filing law," (P.L.1960, c.141 (C.46:23-9.9  
26 et seq.)).

27 Amendments to this law, recently enacted in P.L.1997, c.211, had  
28 an immediate effective date. The amount of work involved and lead  
29 time associated with compliance was not anticipated prior to  
30 enactment. This law now has the potential of stopping or substantially  
31 delaying transportation projects under development throughout the  
32 State at any time when condemnation or acquisition of properties must  
33 occur.

34 It is the intent of this bill that the exception to "the map filing law,"  
35 as amended, apply to "right of way parcel maps" of the State, of any  
36 county or municipality which were prepared prior to January 1, 1998  
37 or were in the process of being prepared, in order to afford such public  
38 entities an opportunity to continue with those projects and not delay  
39 their projected delivery dates and thereby deprive the public of needed  
40 projects whether they be at the State, county or local level. This bill  
41 would allow the new map filing requirements to be phased in with new  
42 projects, in essence accomplishing the intent of "the map filing law,"  
43 as amended.

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

**Matter underlined thus is new matter.**



1       It is also the intent that amendments be permitted to such maps on  
2 or after January 1, 1998 without the need of complying with the new  
3 standards, so long as the map being amended was originally prepared  
4 prior to January 1, 1998 or was in the process of being prepared  
5 before such date.

6       The process of preparing "right of way parcel maps" is a lengthy  
7 procedure. Once the procedure has begun, it would require cessation  
8 of the planning process in order to immediately comply with "the map  
9 filing law," as amended. Thus it is necessary that the exception set  
10 forth in this bill apply not only to completely prepared maps but also  
11 work in progress where a design consultant under contract with a  
12 public entity or an engineer, working for or employed by a public  
13 entity, has begun to research, lay out or draft "right of way maps" for  
14 a road, street, bridge or highway project where property is to be  
15 acquired. This exception will permit an appropriate transition without  
16 needlessly jeopardizing those sorely needed road, street, bridge and  
17 highway projects required for this State's continued economic  
18 development.

# ASSEMBLY TRANSPORTATION COMMITTEE

## STATEMENT TO

[First Reprint]

## **SENATE, No. 400**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 2, 1998

The Assembly Transportation Committee favorably reports Senate Bill No. 400 (1R) with committee amendments.

This amended bill provides that the provisions of P.L.1997, c.211, which amends and updates "the map filing law," P.L.1960, c.141 (C.46:23-9.9 et seq.), shall not apply to the filing of any right of way parcel map in connection with highway, road or street construction projects for which construction bids are advertised on or prior to July 1, 2001. The provisions of P.L.1997, c.211 shall apply to the filing of right of way parcel maps after July 1, 2001. All right of way parcel maps, and amendments thereto, showing acquisitions and associated easements for projects for which construction bids are advertised on or prior to July 1, 2001 may be filed with the county recording officer at any time without meeting the requirements of P.L.1997, c.211, so long as certification as to the date of the advertisement notice is produced when requested by the county recording officer. The plot plan which is required to be included as part of a declaration of taking under paragraph (c) of section 17 of P.L.1971, c.361 (C.20:3-17) need only meet the accuracy standards of a right of way parcel map. The provisions of P.L.1997, c.211 are also not to apply to the filing of any subdivision plat that was granted final approval by a municipal appointing authority pursuant to the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) on or prior to July 1, 2001.

The process of preparing right of way parcel maps is a lengthy procedure, which requires that maps be prepared as much as three or more years prior to advertisement for construction bids for highway, road or street projects. According to the Department of Transportation, in order to comply immediately with the present requirements of "the map filing law," the immediate cessation of the planning process for such projects would be required. The amended bill would allow for the filing of maps for projects which are advertised on or prior to July 1, 2001 but which do not meet the new standards for preparation of right of way parcel maps contained in

P.L.1997, c.211. The grandfathering provisions of this bill would thus allow State, county and municipal road projects to proceed without delay and allow for the gradual implementation of the new standards.

The amended bill also provides that the Department of Environmental Protection (DEP) may not require any map filed with the DEP as part of a discharge prevention, control and countermeasure plan pursuant to the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.) on or before the effective date of this act to be resubmitted in digital form. The amended bill further provides that the DEP may not require an amendment or change to such a map to be submitted in digital form prior to January 1, 2001. The amended bill also would permit the DEP, after the effective date of the act, to require the initial filing of a map, and any amendment or change thereto, to be submitted in digital form.

The committee amended the bill to add the sections concerning the filing of subdivision plats and concerning the filing of maps with the DEP.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 400**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 23, 1998

The Senate Transportation Committee reports favorably Senate Bill No. 400 with committee amendments.

This bill, as amended by the committee, provides that the provisions of P.L.1997, c.211, which amends and updates the "map filing law," P.L.1960, c.141 (C.46:23-9.9 et seq.), shall not apply to the filing of any right of way parcel map in connection with highway, road or street construction projects for which construction bids are advertised on or prior to July 1, 2001. The provisions of P.L.1997, c.211 shall apply to the filing of right of way parcel maps after July 1, 2001. All right of way parcel maps, and amendments thereto, showing acquisitions and associated easements for projects for which construction bids are advertised on or prior to July 1, 2001 may be filed with the county recording officer at any time without meeting the requirements of P.L.1997, c.211, so long as certification as to the date of the advertisement notice is produced when requested by the county recording officer. The plot plan which is required to be included as part of a declaration of taking under paragraph (c) of section 17 of P.L.1971, c.361 (C.20:3-17) need only meet the accuracy standards of a right of way parcel map.

The process of preparing right of way parcel maps is a lengthy procedure, which requires that maps be prepared as much as three or more years prior to advertisement for construction bids for highway, road or street projects. According to the Department of Transportation, in order to comply immediately with the present requirements of "the map filing law," the immediate cessation of the planning process for such projects would be required. The amended bill would allow for the filing of maps for projects which are advertised on or prior to July 1, 2001 but which do not meet the new standards for preparation of right of way parcel maps contained in P.L.1997, c.211. The grandfathering provisions of this bill would thus allow State, county and municipal road projects to proceed without delay and allow for the gradual implementation of the new standards.

The committee amended the bill by deleting section one thereof and inserting the provisions outlined in the second paragraph of this

statement. In addition the committee amended the bill by making changes in the definition of "right of way parcel map" and providing a new term, "general property parcel map," in section 2 of P.L.1960, c.141 (C.46:23-9.10), adding provisions dealing with the size and scale of maps, providing new definitions for professional engineer and land surveyor and making the bill retroactive to the effective date of P.L.1997, c.211.

STATEMENT TO  
[Second Reprint]  
**SENATE, No. 400**

with Assembly Floor Amendments  
(Proposed By Assemblyman DeCROCE)

ADOPTED: MARCH 16, 1998

This amendment provides that the provisions of P.L.1997, c.211 shall not apply to the filing of any subdivision plat that was granted final approval by a municipal approving authority pursuant to the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) on or prior to July 1, 1999. The section currently provides that the date is July 1, 2001.

STATEMENT TO  
[Third Reprint]  
**SENATE, No. 400**

with Senate Floor Amendments  
(Proposed By Senator CIESLA)

ADOPTED: MARCH 30, 1998

These floor amendments would provide that the Department of Environmental Protection (DEP) may not require any map filed with the DEP as part of a discharge prevention, control and countermeasure plan pursuant to the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.) on or before the effective date of this act to be resubmitted in digital form prior to January 1, 2000.

# ASSEMBLY, No. 1625

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## STATE OF NEW JERSEY

### 208th LEGISLATURE

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INTRODUCED FEBRUARY 10, 1998

**Sponsored by:**

**Assemblyman ALEX DECROCE**

**District 26 (Essex, Morris and Passaic)**

**Assemblyman FRANCIS L. BODINE**

**District 8 (Atlantic, Burlington and Camden)**

**SYNOPSIS**

Excludes certain right of way parcel maps from the provisions of "the map filing law."

**CURRENT VERSION OF TEXT**

As introduced.





1 AN ACT concerning right of way parcel maps and amending P.L.1997,  
2 c.211.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 5 of P.L.1997, c.211 is amended to read as follows:

8 5. This act shall take effect immediately, except that the provisions  
9 of this act shall not apply to the filing and preparation of right of way  
10 parcel maps, as defined in subsection f. of section 2 of P.L.1960, c.141  
11 (C.46:23-9.10), which were prepared, or in the process of being  
12 prepared, prior to January 1, 1998, including any amendments to such  
13 right of way parcel maps, notwithstanding that the amendments may  
14 be adopted on or after January 1, 1998.

15 (cf: P.L.1997, c.211, s.5.)

16  
17 2. This act shall take effect immediately.

18

19

20

#### STATEMENT

21

22 This bill grandfathers completed mapping and mapping in progress  
23 prior to January 1, 1998 with respect to any right of way property  
24 parcel maps of the State, county or municipality that show highways,  
25 roads or street takings and any associated easements from the  
26 requirements of "the map filing law," (P.L.1960, c.141 (C.46:23-9.9  
27 et seq.)).

28 Amendments to this law, recently enacted in P.L.1997, c.211, had  
29 an immediate effective date. The amount of work involved and lead  
30 time associated with compliance was not anticipated prior to  
31 enactment. This law now has the potential of stopping or substantially  
32 delaying transportation projects under development throughout the  
33 State at any time when condemnation or acquisition of properties must  
34 occur.

35 It is the intent of this bill that the exception to "the map filing law,"  
36 as amended, apply to "right of way parcel maps" of the State, of any  
37 county or municipality which were prepared prior to January 1, 1998  
38 or were in the process of being prepared, in order to afford such public  
39 entities an opportunity to continue with those projects and not delay  
40 their projected delivery dates and thereby deprive the public of needed  
41 projects whether they be at the State, county or local level. This bill  
42 would allow the new map filing requirements to be phased in with new

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

**Matter underlined thus is new matter.**

1 projects, in essence accomplishing the intent of "the map filing law,"  
2 as amended.

3 It is also the intent that amendments be permitted to such maps on  
4 or after January 1, 1998 without the need of complying with the new  
5 standards, so long as the map being amended was originally prepared  
6 prior to January 1, 1998 or was in the process of being prepared  
7 before such date.

8 The process of preparing "right of way parcel maps" is a lengthy  
9 procedure. Once the procedure has begun, it would require cessation  
10 of the planning process in order to immediately comply with "the map  
11 filing law," as amended. Thus it is necessary that the exception set  
12 forth in this bill apply not only to completely prepared maps but also  
13 work in progress where a design consultant under contract with a  
14 public entity or an engineer, working for or employed by a public  
15 entity, has begun to research, lay out or draft "right of way maps" for  
16 a road, street, bridge or highway project where property is to be  
17 acquired. This exception will permit an appropriate transition without  
18 needlessly jeopardizing those sorely needed road, street, bridge and  
19 highway projects required for this State's continued economic  
20 development.

# ASSEMBLY TRANSPORTATION COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 1625**

# **STATE OF NEW JERSEY**

DATED: MARCH 2, 1998

The Assembly Transportation Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1625.

This substitute bill provides that the provisions of P.L.1997, c.211, which amends and updates "the map filing law," P.L.1960, c.141 (C.46:23-9.9 et seq.), shall not apply to the filing of any right of way parcel map in connection with highway, road or street construction projects for which construction bids are advertised on or prior to July 1, 2001. The provisions of P.L.1997, c.211 shall apply to the filing of right of way parcel maps after July 1, 2001. All right of way parcel maps, and amendments thereto, showing acquisitions and associated easements for projects for which construction bids are advertised on or prior to July 1, 2001 may be filed with the county recording officer at any time without meeting the requirements of P.L.1997, c.211, so long as certification as to the date of the advertisement notice is produced when requested by the county recording officer. The plot plan which is required to be included as part of a declaration of taking under paragraph (c) of section 17 of P.L.1971, c.361 (C.20:3-17) need only meet the accuracy standards of a right of way parcel map. The provisions of P.L. 1997, c.211 are also not to apply to the filing of any subdivision plat that was granted final approval by a municipal approving authority pursuant to the "Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.) on or prior to July 1, 2001.

The process of preparing right of way parcel maps is a lengthy procedure, which requires that maps be prepared as much as three or more years prior to advertisement for construction bids for highway, road or street projects. According to the Department of Transportation, in order to comply immediately with the present requirements of "the map filing law," the immediate cessation of the planning process for such projects would be required. The substitute bill would allow for the filing of maps for projects which are advertised on or prior to July 1, 2001 but which do not meet the new standards for preparation of right of way parcel maps contained in P.L.1997, c.211. The grandfathering provisions of this bill would thus allow State, county and municipal road projects to proceed without delay and allow for the gradual implementation of the new standards.

The substitute bill also provides that the Department of Environmental Protection (DEP) may not require any map filed with the DEP as part of a discharge prevention, control and countermeasure plan pursuant to the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.) on or before the effective date of this act to be resubmitted in digital form. The substitute bill further provides that the DEP may not require an amendment or change to such a map to be submitted in digital form prior to January 1, 2001. The substitute bill also would permit the DEP, after the effective date of the act, to require the initial filing of a map, and any amendment or change thereto, to be submitted in digital form.

*Office of the Governor*  
**NEWS RELEASE**

PO BOX 004  
TRENTON, NJ 08625

CONTACT: Jayne O'Connor  
609-777-2600

RELEASE: June 4, 1998

Gov. Christie Whitman today signed the following bills:

**S-400**, which amends the Map Filing law to exempt certain right of way maps from Department of Transportation projects currently in progress from the law's requirement that such maps be drawn by a professional land surveyor. The bill provides that the Map Filing Law shall not apply to the filing of any right of way parcel map in connection with highway, road or street construction for which construction bids are advertised on or prior to July 1, 2001.

The bill also delays the effective date of the DEP's requirement that certain maps be filed with the DEP in digital until July 1, 2000. DEP's digital requirement mandates that upon renewal of a Discharge Prevention, Control and Countermeasure permit, companies shall submit any land use map and/or map identifying an environmentally sensitive area in digital form.

S-400 was sponsored by Senators Andrew R. Ciesla (R-Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden) and Assembly Members Alex DeCroce (R-Essex/Morris/Passaic) and Francis L. Bodine (R-Atlantic/ Burlington/Camden).

**A-1672**, sponsored by Assembly Members David C. Russo (R-Bergen/Passaic) and Wilfredo Caraballo (D-Essex), adds judges of the United States Court of Appeals for the Third Circuit to the list of persons permitted to solemnize marriage under state law. Under previous law, the following persons were permitted to solemnize marriages between persons who may lawfully enter into the matrimonial relationship: federal district court judges, municipal judges, surrogates, county clerks, certain local officials, ministers and religious organizations.