

LEGISLATIVE HISTORY CHECKLIST

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LAWS of 1999

CHAPTER: 31

NJSA: 13:17-87 to 13:17-94
("Meadowland conservation Trust Act")

BILL NO: A1435(Substituted for S1498)

SPONSOR(S): DiGaetano & Talarico

DATE INTRODUCED: Pre-filed

COMMITTEE:

ASSEMBLY: Agriculture; Appropriations

SENATE: Environment

AMENDED DURING PASSAGE: No

DATES OF PASSAGE:

ASSEMBLY: May 28, 1998

SENATE: January 12, 1999

DATE OF APPROVAL: March 2, 1999

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: *YES*Original
(Amendments during passage denoted by superscript numbers)

A1435

SPONSORS STATEMENT: *Yes* (Begins on page 10 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY:Yes

February 26, 1998

March 30, 1998

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *Yes*

S1498

SPONSORS STATEMENT: *Yes (Begins on page 11 of original bill)*

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *Yes*

Identical to Assembly Statement of 2/26/98 for A1435

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

GOVERNOR'S ACTIONS

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

Title 13
Chapter 17
Article 11 (New)
Meadowlands
Conservation
Trust
§§1-8
C. 13:17-87
To 13:17-94
§§9-14
C. 39:3-27.100
To 39:3-27.105
§15
C. 54:4-3.159
§16
Note To §§1-15

P.L. 1999, CHAPTER 31, *approved March 2, 1999*
Assembly, No. 1435

1 **AN ACT** concerning the Hackensack meadowlands and the
2 Hackensack river watershed, creating the Meadowlands
3 Conservation Trust, and supplementing Titles 13, 39, and 54 of the
4 Revised Statutes.

5

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

8

9 1. This act shall be known, and may be cited, as the "Meadowlands
10 Conservation Trust Act."

11

12 2. As used in this act:

13 "Board" means the board of trustees of the Meadowlands
14 Conservation Trust established pursuant to section 4 of P.L., c. (C.)
15 (now before the Legislature as this bill);

16 "Convey" means to sell, transfer, lease, or donate land;

17 "Governmental entity" means the federal government, the State, a
18 bi-state agency, a county, or a municipality, or any political
19 subdivision, department, authority, board, bureau, commission, or
20 agency thereof; an independent authority; Rutgers, The State
21 University, or any other public institution of higher education in the
22 State; or the Hackensack Meadowlands Development Commission
23 established pursuant to section 5 of P.L.1968, c.404 (C.13:17-5);

24 "Hackensack meadowlands" means the same as that term is defined
25 pursuant to section 3 of P.L.1968, c.404 (C.13:17-3);

26 "Land" or "lands" means real property, including improvements
27 thereof or thereon, rights-of-way, water, riparian and other rights,
28 easements, and privileges, and all other rights or interests of any kind
29 or description in, relating to, or connected with real property; and

30 "Trust" means the Meadowlands Conservation Trust created
31 pursuant to section 3 of P.L. , c. (C.) (now before the Legislature
32 as this bill).

1 3. There is created in but not of the Hackensack Meadowlands
2 Development Commission, established pursuant to section 5 of
3 P.L.1968, c.404 (C.13:17-5), a body corporate and politic with
4 corporate succession, to be known as the Meadowlands Conservation
5 Trust. The trust is hereby constituted as an instrumentality exercising
6 public and essential government functions and the exercise by the trust
7 of the powers conferred by this act shall be deemed and held to be an
8 essential government function of the State. The purposes of the trust
9 shall be to acquire and hold, or acquire and convey to other
10 governmental entities or to qualified nonprofit organizations,
11 environmentally important, valuable, or sensitive lands located in the
12 Hackensack meadowlands or within the Hackensack river watershed,
13 which lands shall be permanently preserved and managed in their
14 natural state or in a largely natural or undeveloped state for the
15 purposes of conserving and enhancing natural resources, protecting
16 elements of natural diversity, providing open space, or providing
17 public outdoor passive recreational opportunities.

18

19 4. a. The powers and duties of the trust shall vest in and be
20 exercised by a board of trustees, comprised of seven voting members,
21 of whom four shall be private citizens appointed by the Governor, with
22 the advice and consent of the Senate. The four trustees thus appointed
23 shall serve for three-year terms and shall continue to serve until
24 succeeded; except, of the four trustees first appointed, two shall serve
25 a term of three years, one shall serve a term of two years, and one
26 shall serve a term of one year. A trustee may be reappointed to a
27 succeeding term or terms. The Governor shall appoint the four
28 trustees from a list of 12 candidates that shall be provided by the
29 following entities within 90 days of the effective date of this section:
30 American Littoral Society - Baykeeper; The Nature Conservancy; New
31 Jersey Audubon Society; New Jersey Chapter of the Sierra Club; New
32 Jersey Conservation Foundation; and The Trust for Public Land. Each
33 of those six entities shall provide two nominees for the list of 12
34 candidates. In the event that less than 12 candidates are provided by
35 those six entities, persons suggested to the Governor by other
36 nonprofit organizations having open space preservation or
37 environmental education as their corporate purpose shall be added to
38 the list to make a total of 12 candidates to be considered by the
39 Governor for the four appointments.

40 The remaining three trustees, all of whom shall serve ex officio,
41 shall be: the Commissioner of Community Affairs or the
42 commissioner's designee; the executive director of the Hackensack
43 Meadowlands Development Commission, or the executive director's
44 designee; and a mayor, or elected chief executive of a municipality,
45 appointed by, and who shall serve at the pleasure of, the Hackensack
46 Meadowlands Municipal Committee established pursuant to section 7

1 of P.L.1968, c.404 (C.13:17-7).

2 b. (1) A trustee may be removed for cause by the appropriate
3 appointing authority.

4 (2) A vacancy on the board shall be filled in the same manner as the
5 original appointment was made.

6 (3) The trustees shall serve without compensation, but may be
7 reimbursed for all reasonable expenses necessarily incurred in the
8 discharge of their official duties.

9 (4) A majority of the full membership of the board shall constitute
10 a quorum for the transaction of business.

11 Action may be taken and motions and resolutions adopted by the
12 board at any meeting thereof by the affirmative vote of a majority of
13 the full membership of the board.

14 (5) The trustees shall elect a chairperson and a vice-chairperson
15 from the members of the board.

16 (6) The board shall meet regularly as it may determine, and shall
17 also meet at the call of the chairperson of the board or the Governor.
18 Meetings of the board shall be subject to the "Open Public Meetings
19 Act," P.L.1975, c.231 (C.10:4-6 et seq.).

20

21 5. The Meadowlands Conservation Trust shall have the power to:

22 a. Sue and be sued in its own name;

23 b. Adopt a seal and alter it at pleasure;

24 c. Adopt by-laws for the regulation of its affairs and the conduct
25 of its business, and adopt rules and regulations pursuant to the
26 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
27 as necessary to implement this act;

28 d. Maintain an office or offices at such place or places within the
29 State as it may designate;

30 e. Appoint such officers, who need not be trustees, in addition to
31 a secretary and a treasurer, as the trust shall deem advisable, to
32 establish advisory groups, and to employ such other employees,
33 consultants, and agents, including an executive director, as may be
34 necessary or desirable in its judgment, to fix their compensation, and
35 to promote and discharge such officers, employees, consultants, and
36 agents, all without regard to the provisions of Title 11A, Civil Service,
37 of the New Jersey Statutes;

38 f. Authorize, if deemed useful, the establishment by appropriate
39 persons or organizations of a nonprofit organization or organizations
40 exempt from taxation pursuant to section 501 (c)(3) of the federal
41 Internal Revenue Code of 1986, 26 U.S.C.§501 (c)(3), for the
42 purposes of assisting the trust in furthering the purposes of the trust
43 as set forth in this act;

44 g. Cooperate with and assist, insofar as practicable, any
45 governmental entity or any private entity or person in furtherance of
46 the purposes of the trust;

- 1 h. Call to its assistance and avail itself of the services of such
2 employees of any governmental entity as it may require and as may be
3 available to it for the purpose of exercising its powers and performing
4 its duties under this act;
- 5 i. Incur such traveling and other miscellaneous expenses as it may
6 deem necessary in the exercise of its powers and the performance of
7 its duties under this act, and as may be within the limits of funds
8 appropriated or otherwise made available to it for those purposes;
- 9 j. Acquire in the name of the trust, hold, and dispose of personal
10 property in the exercise of its powers and the performance of its duties
11 under this act;
- 12 k. Make, enter into, and perform all contracts and agreements
13 necessary or incidental to the exercise of its powers and the
14 performance of its duties under this act. No contract on behalf of the
15 trust shall be entered into for the doing of any work, or for the hiring
16 of equipment or vehicles, if the sum to be expended exceeds the
17 appropriate amount set forth in, or the amount calculated by the
18 Governor pursuant to, section 2 of P.L.1954, c.48 (C.52:34-7), unless
19 the trust first publicly advertises for bids therefor, and awards the
20 contract to the lowest responsible, qualified bidder; but advertising is
21 not required if the contract to be entered into is one for furnishing or
22 performing services of a professional nature, if there is only one source
23 for the product or service being procured, or if the product or service
24 is supplied or rendered by a public utility subject to the jurisdiction of
25 the Board of Public Utilities, and tariffs and schedules of the charges
26 made, charged, or exacted by the public utility for such products to be
27 supplied or services to be rendered are filed with the Board of Public
28 Utilities. The provisions of this subsection shall not prevent the trust
29 from having any work done by its own employees, nor does it apply to
30 repairs, or to the furnishing of materials, supplies or labor, or the
31 hiring of equipment or vehicles, when the safety or protection of its or
32 other public property or the public convenience requires, or the
33 exigency of the circumstances will not admit of such advertisement.
34 In such case the trust shall, by resolution passed by the affirmative
35 vote of a majority of the trustees in attendance, declare the exigency
36 or emergency to exist, and set forth in the resolution the nature thereof
37 and the approximate amount to be expended;
- 38 l. Apply for and accept any grant or aid, whether from a
39 governmental entity, a nonprofit organization, a foundation or trust,
40 or any other public or private source, that might be or may become
41 available for programs in furtherance of the purposes of the trust, to
42 subscribe to and comply with any rule or regulation with respect to the
43 application of such grant or aid, and to enter into and perform any
44 contract or agreement with respect to the application of such grant or
45 aid;
- 46 m. Solicit and to accept gifts, donations, legacies, bequests, and

- 1 endowments, including but not limited to land, money, securities, or
2 other property of value from public or private sources, to enable the
3 trust to acquire and hold or convey land for any purpose which falls
4 within those of the trust; and, unless otherwise specified by the person
5 making such a gift, donation, legacy, bequest, or endowment of money
6 or securities, to invest it in whole or in part as provided in section 6 of
7 P.L. , c. (C.) (now before the Legislature as this bill);
- 8 n. Solicit and accept rents or royalties, if appropriate, and to apply
9 them to furthering the purposes of the trust;
- 10 o. Apply all moneys, assets, property, or other things of value it
11 may receive as an incident to its operation to furthering the purposes
12 of the trust;
- 13 p. Plan and implement strategies to maximize land acquisition and
14 preservation and environmental enhancement in the Hackensack
15 meadowlands and the Hackensack river watershed in keeping with the
16 purposes of the trust;
- 17 q. Acquire and hold, or acquire and convey to other governmental
18 entities, including but not limited to the New Jersey Natural Lands
19 Trust created pursuant to P.L.1968, c.425 (C.13:1B-15.119 et seq.),
20 or to qualified nonprofit organizations, environmentally important,
21 valuable, or sensitive lands located in the Hackensack meadowlands or
22 within the Hackensack river watershed; and to preserve and manage
23 those lands in their natural state or in a largely natural or undeveloped
24 state for the purposes of conserving and enhancing natural resources,
25 including but not limited to wetlands mitigation sites and banks, and
26 protecting elements of natural diversity, providing open space, or
27 providing public outdoor passive recreational opportunities;
- 28 r. Establish a special working relationship with the Hackensack
29 Meadowlands Development Commission established pursuant to
30 section 5 of P.L.1968, c.404 (C.13:17-5) and the Hackensack
31 Meadowlands Municipal Committee established pursuant to section 7
32 of P.L.1968, c.404 (C.13:17-7) in furthering the purposes of the trust;
- 33 s. Establish incentive programs to encourage landowners within the
34 Hackensack meadowlands or the Hackensack river watershed to (1)
35 convey land to the trust or to other public or private entities seeking
36 to preserve land in keeping with the purposes of the trust, or (2)
37 manage their lands in keeping with the purposes of the trust;
- 38 t. Establish a volunteer stewardship program, and take all
39 reasonable action necessary for management and maintenance of trust
40 property;
- 41 u. Procure insurance against any losses in connection with its
42 property, operations, or assets, in such amounts and from such
43 insurers as it deems desirable;
- 44 v. Exercise its powers and perform its duties as required pursuant
45 to sections 9 through 14 of P.L. , c. (C.) (now before the
46 Legislature as this bill) pertaining to the issuance of Meadowlands

1 conservation license plates; and

2 w. Do all acts and things necessary or convenient to exercising its
3 powers and performing its duties under this act in furthering the
4 purposes of the trust.

5
6 6. a. There is established in the Meadowlands Conservation Trust
7 a trust fund, to be known as the "Meadowlands Conservation Trust
8 Fund," and the moneys therein are to be held in those depositories as
9 the State Treasurer may select. The State Treasurer shall deposit into
10 the trust fund all moneys: (1) received as a grant or other form of aid
11 by the trust or by the State and designated for the trust; (2) given,
12 donated, bequeathed, or endowed to the trust from public or private
13 sources; (3) received as rent or as a royalty by the trust or by the State
14 on behalf of the trust; (4) received as net revenues from the Division
15 of Motor Vehicles in the Department of Transportation in connection
16 with the issuance of Meadowlands conservation license plates as
17 provided pursuant to sections 9 through 14 of P.L. , c. (C.) (now
18 before the Legislature as this bill); and (5) appropriated or otherwise
19 made available to the trust by the State. The moneys in the trust fund
20 are specifically dedicated and shall be utilized only for the purposes of
21 the trust as set forth in this act. Such grants, contributions, donations,
22 and reimbursements from federal aid programs as may be lawfully used
23 for the purposes of the trust as set forth in this act shall also be held
24 in the trust fund. Moneys in the trust fund shall not be expended
25 except in accordance with appropriations from the trust fund made by
26 law. Any act appropriating moneys from the trust fund to acquire land
27 shall identify the particular project or projects to be funded by the
28 moneys, and any expenditure for a land acquisition project for which
29 the location is not identified by municipality and county in the
30 appropriation shall require the approval of the Joint Budget Oversight
31 Committee or its successor. Pending their application to the purposes
32 set forth in this act, the moneys in the trust fund shall be invested and
33 reinvested as are trust funds in the custody of the State Treasurer, in
34 the manner provided by law. Net earnings received from the
35 investment or deposit of moneys in the trust fund shall be redeposited
36 therein and become part of the trust fund to be used only for the
37 purposes of the trust.

38 b. (1) No moneys in the Meadowlands Conservation Trust Fund
39 shall be utilized for the development of any land for any purpose or for
40 the acquisition of land that will not remain in a natural or largely
41 natural or undeveloped state, except that up to 5% of the moneys
42 annually received and deposited into the trust fund may be utilized to
43 pay for development of sites to allow for public access and
44 environmental education and interpretation and for the development
45 of trails, and up to 2% of the moneys annually received and deposited
46 into the trust fund may be utilized to pay for promotional and program

1 awareness efforts.

2 (2) No moneys in the trust fund shall be utilized to pay or
3 discharge the principal of or interest on any indebtedness incurred for
4 any purpose by the trust or any other governmental entity.

5 c. Notwithstanding any law, rule, or regulation to the contrary, any
6 proceeds returned to the trust or the State from the conveyance of
7 lands acquired by the trust with moneys from the "Meadowlands
8 Conservation Trust Fund" or from other sources shall be redeposited
9 therein and become part of the trust fund to be used only for the
10 purposes of the trust.

11

12 7. The trustees may request, and upon such request shall receive,
13 from the Attorney General of the State of New Jersey, all legal counsel
14 and services necessary to further the purposes of the trust.

15

16 8. The trust shall report annually to the Governor and the
17 Legislature of the State of New Jersey as to its activities during the
18 preceding year, together with any recommendations or requests the
19 trustees deem appropriate to further the purposes of the trust.

20

21 9. The Director of the Division of Motor Vehicles in the
22 Department of Transportation shall, upon proper application therefor,
23 issue Meadowlands conservation license plates for any motor vehicle
24 owned or leased and registered in the State. In addition to the
25 registration number and other markings or identification otherwise
26 prescribed by law, a Meadowlands conservation license plate shall
27 display words or a slogan and an emblem indicating support for, or an
28 interest in, conservation of the Hackensack meadowlands and the
29 Hackensack river watershed. The words or slogan and emblem shall
30 be chosen by the director; however, the director shall solicit, in
31 conjunction with the Legislature, input on the design of the plate from
32 the general public and from the board of trustees of the Meadowlands
33 Conservation Trust created pursuant to section 4 of P.L. , c. (C.)
34 (now before the Legislature as this bill), and shall review the
35 submissions prior to choosing the design. Issuance of Meadowlands
36 conservation license plates in accordance with this section shall be
37 subject to the provisions of chapter 3 of Title 39 of the Revised
38 Statutes, except as hereinafter otherwise specifically provided.

39

40 10. a. Application for issuance of a Meadowlands conservation
41 license plate shall be made to the Division of Motor Vehicles on forms
42 and in a manner as may be prescribed by the director. In order to be
43 deemed complete, an application shall be accompanied by a fee of \$50
44 payable to the Division of Motor Vehicles, which fee shall be in
45 addition to all fees otherwise required by law for the registration of the
46 motor vehicle.

1 b. The annual fee for the registration certificate of a motor vehicle
2 that has been issued a Meadowlands conservation license plate
3 pursuant to the provisions of sections 9 through 14 of P.L. , c.
4 (C.) (now before the Legislature as this bill) shall include in each
5 year subsequent to the year of issuance a fee in the amount of \$10,
6 which fee shall be in addition to all fees otherwise required by law for
7 the renewal of the registration of the motor vehicle and shall be
8 collected by the Division of Motor Vehicles and remitted to the
9 Meadowlands Conservation Trust created pursuant to section 3 of
10 P.L. , c. (C.) (now before the Legislature as this bill) for deposit
11 in the Meadowlands Conservation Trust Fund created pursuant to
12 section 6 of P.L. , c. (C.) (now before the Legislature as this bill).

13

14 11. There shall be deposited in the Meadowlands Conservation
15 Trust Fund created pursuant to section 6 of P.L. , c. (C.) (now
16 before the Legislature as this bill) the amount collected from all license
17 plate fees collected pursuant to section 10 of P.L. , c. (C.) (now
18 before the Legislature as this bill), less the amounts necessary to
19 reimburse the Division of Motor Vehicles for all costs authorized
20 pursuant to section 12 of P.L. , c. (C.) (now before the Legislature
21 as this bill).

22

23 12. a. Prior to the deposit of license plate fees collected pursuant
24 to section 10 of P.L. , c. (C.) (now before the Legislature as this
25 bill) into the Meadowlands Conservation Trust Fund created pursuant
26 to section 6 of P.L. , c. (C.) (now before the Legislature as this
27 bill), amounts thereof as are necessary shall be used to reimburse the
28 Division of Motor Vehicles for all costs reasonably and actually
29 incurred, as stipulated by the director, for:

30 (1) producing, issuing, renewing, and publicizing the availability of
31 Meadowlands conservation license plates; and

32 (2) any initial computer programming changes that may be
33 necessary to implement the Meadowlands conservation license plate
34 program established pursuant to sections 9 through 14 of P.L. ,
35 c. (C.) (now before the Legislature as this bill).

36 b. The Director of the Division of Motor Vehicles shall annually
37 certify to the board of trustees of the Meadowlands Conservation
38 Trust created pursuant to section 4 of P.L. , c. (C.) (now before
39 the Legislature as this bill) the average cost per license plate incurred
40 in the immediately preceding year by the Division of Motor Vehicles
41 in producing, issuing, renewing, and publicizing the availability of
42 Meadowlands conservation license plates. The annual certification of
43 the average cost per license plate shall be approved by the Joint
44 Budget Oversight Committee or its successor.

45 c. In the event that the average cost per license plate as certified by
46 the director and approved by the Joint Budget Oversight Committee,

1 or its successor, is greater than the \$50 application fee established in
2 subsection a. of section 10 of P.L. , c. (C.) (now before the
3 Legislature as this bill) in two consecutive fiscal years, the director
4 may discontinue the issuance of Meadowlands conservation license
5 plates.

6
7 13. The Director of the Division of Motor Vehicles shall notify
8 eligible motorists of the opportunity to obtain Meadowlands
9 conservation license plates by including a notice with all motor vehicle
10 registration renewals, and by posting appropriate posters or signs in
11 all facilities and offices of the Division of Motor Vehicles. The
12 notices, posters, and signs shall be designed by the board of trustees
13 of the Meadowlands Conservation Trust created pursuant to section
14 4 of P.L. , c. (C.) (now before the Legislature as this bill). The
15 designs shall be subject to the approval of the director, and the board
16 of trustees of the Meadowlands Conservation Trust shall supply the
17 Division of Motor Vehicles with the notices, posters, and signs to be
18 circulated or posted by that division.

19
20 14. The board of trustees of the Meadowlands Conservation Trust
21 created pursuant to section 4 of P.L. , c. (C.) (now before the
22 Legislature as this bill), the Director of the Division of Motor
23 Vehicles, and the State Treasurer shall develop and enter into an
24 interagency memorandum of agreement setting forth the procedures
25 to be followed by those parties in carrying out their respective
26 responsibilities under sections 9 through 14 of P.L. , c. (C.) (now
27 before the Legislature as this bill).

28
29 15. Notwithstanding any law, rule, or regulation to the contrary,
30 real property acquired by the Meadowlands Conservation Trust
31 created pursuant to P.L. , c. (C.) (now before the Legislature as
32 this bill) pursuant to purchase, conveyance, bequest, exchange,
33 donation, acceptance, or otherwise shall become exempt from taxation
34 and the payment of any in lieu of tax obligation as of the date of
35 acquisition by the trust. If, at the time of acquisition by the trust, the
36 prior owner has paid the taxes or any in lieu of tax obligation for the
37 current tax year in full or for a period beyond the date of acquisition
38 by the trust, the prior owner shall be entitled to a prorated refund from
39 the taxing authority of the taxes or in lieu of tax obligations paid by
40 the prior owner for the remaining portion of the tax year beyond the
41 date of acquisition by the trust. If insufficient or no taxes, or
42 insufficient or no in lieu of tax obligations, shall have been paid by the
43 prior owner for the portion of the tax year prior to acquisition by the
44 trust, the prior owner shall pay the amount due for that period to the
45 appropriate taxing authority.

1 16. Sections 1 through 8 and section 15 of this act shall take effect
2 immediately and sections 9 through 14 of this act shall take effect on
3 the 180th day after the date of enactment, but the State Treasurer, the
4 Director of the Division of Motor Vehicles, and the board of trustees
5 of the Meadowlands Conservation Trust, created pursuant to section
6 4 of this act, may take such anticipatory acts in advance of the 180th
7 day after the date of enactment as may be necessary for the timely
8 implementation of sections 9 through 14 of this act upon the effective
9 date thereof.

10

11

12

13

14 Creates Meadowlands Conservation Trust to preserve land in the
15 Hackensack meadowlands and the Hackensack river watershed for
16 conservation purposes; and creates Meadowlands conservation license
17 plate to raise revenue therefor.

ASSEMBLY, No. 1435

STATE OF NEW JERSEY

208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

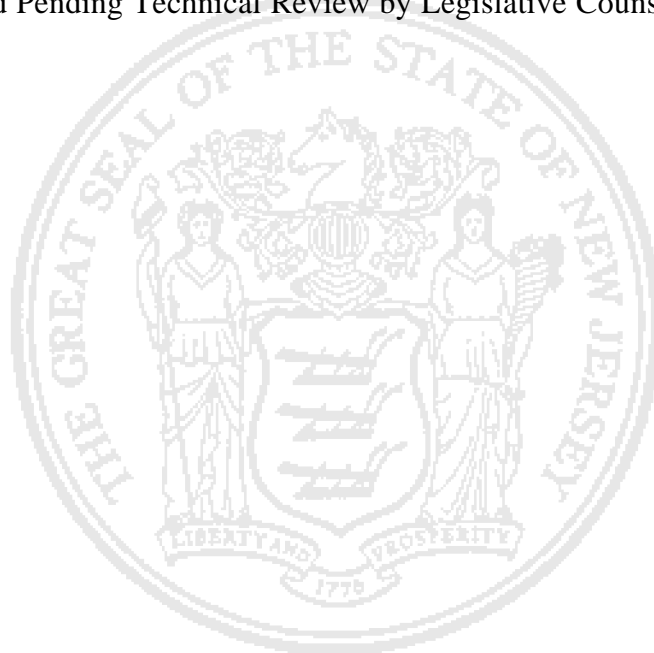
Assemblyman PAUL DIGAETANO
District 36 (Bergen, Essex and Passaic)
Assemblyman GUY F. TALARICO
District 38 (Bergen)

SYNOPSIS

Creates Meadowlands Conservation Trust to preserve land in the Hackensack meadowlands and the Hackensack river watershed for conservation purposes; and creates Meadowlands conservation license plate to raise revenue therefor.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/20/1998)

1 AN ACT concerning the Hackensack meadowlands and the
2 Hackensack river watershed, creating the Meadowlands
3 Conservation Trust, and supplementing Titles 13, 39, and 54 of the
4 Revised Statutes.

5

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

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9 1. This act shall be known, and may be cited, as the "Meadowlands
10 Conservation Trust Act."

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12 2. As used in this act:

13 "Board" means the board of trustees of the Meadowlands
14 Conservation Trust established pursuant to section 4 of P.L., c. (C.)
15 (now before the Legislature as this bill);

16 "Convey" means to sell, transfer, lease, or donate land;

17 "Governmental entity" means the federal government, the State, a
18 bi-state agency, a county, or a municipality, or any political
19 subdivision, department, authority, board, bureau, commission, or
20 agency thereof; an independent authority; Rutgers, The State
21 University, or any other public institution of higher education in the
22 State; or the Hackensack Meadowlands Development Commission
23 established pursuant to section 5 of P.L.1968, c.404 (C.13:17-5);

24 "Hackensack meadowlands" means the same as that term is defined
25 pursuant to section 3 of P.L.1968, c.404 (C.13:17-3);

26 "Land" or "lands" means real property, including improvements
27 thereof or thereon, rights-of-way, water, riparian and other rights,
28 easements, and privileges, and all other rights or interests of any kind
29 or description in, relating to, or connected with real property; and

30 "Trust" means the Meadowlands Conservation Trust created
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33

34 3. There is created in but not of the Hackensack Meadowlands
35 Development Commission, established pursuant to section 5 of
36 P.L.1968, c.404 (C.13:17-5), a body corporate and politic with
37 corporate succession, to be known as the Meadowlands Conservation
38 Trust. The trust is hereby constituted as an instrumentality exercising
39 public and essential government functions and the exercise by the trust
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41 essential government function of the State. The purposes of the trust
42 shall be to acquire and hold, or acquire and convey to other
43 governmental entities or to qualified nonprofit organizations,
44 environmentally important, valuable, or sensitive lands located in the
45 Hackensack meadowlands or within the Hackensack river watershed,
46 which lands shall be permanently preserved and managed in their

1 natural state or in a largely natural or undeveloped state for the
2 purposes of conserving and enhancing natural resources, protecting
3 elements of natural diversity, providing open space, or providing
4 public outdoor passive recreational opportunities.

5
6 4. a. The powers and duties of the trust shall vest in and be
7 exercised by a board of trustees, comprised of seven voting members,
8 of whom four shall be private citizens appointed by the Governor, with
9 the advice and consent of the Senate. The four trustees thus appointed
10 shall serve for three-year terms and shall continue to serve until
11 succeeded; except, of the four trustees first appointed, two shall serve
12 a term of three years, one shall serve a term of two years, and one
13 shall serve a term of one year. A trustee may be reappointed to a
14 succeeding term or terms. The Governor shall appoint the four
15 trustees from a list of 12 candidates that shall be provided by the
16 following entities within 90 days of the effective date of this section:
17 American Littoral Society - Baykeeper; The Nature Conservancy; New
18 Jersey Audubon Society; New Jersey Chapter of the Sierra Club; New
19 Jersey Conservation Foundation; and The Trust for Public Land. Each
20 of those six entities shall provide two nominees for the list of 12
21 candidates. In the event that less than 12 candidates are provided by
22 those six entities, persons suggested to the Governor by other
23 nonprofit organizations having open space preservation or
24 environmental education as their corporate purpose shall be added to
25 the list to make a total of 12 candidates to be considered by the
26 Governor for the four appointments.

27 The remaining three trustees, all of whom shall serve ex officio,
28 shall be: the Commissioner of Community Affairs or the
29 commissioner's designee; the executive director of the Hackensack
30 Meadowlands Development Commission, or the executive director's
31 designee; and a mayor, or elected chief executive of a municipality,
32 appointed by, and who shall serve at the pleasure of, the Hackensack
33 Meadowlands Municipal Committee established pursuant to section 7
34 of P.L.1968, c.404 (C.13:17-7).

35 b. (1) A trustee may be removed for cause by the appropriate
36 appointing authority.

37 (2) A vacancy on the board shall be filled in the same manner as the
38 original appointment was made.

39 (3) The trustees shall serve without compensation, but may be
40 reimbursed for all reasonable expenses necessarily incurred in the
41 discharge of their official duties.

42 (4) A majority of the full membership of the board shall constitute
43 a quorum for the transaction of business.

44 Action may be taken and motions and resolutions adopted by the
45 board at any meeting thereof by the affirmative vote of a majority of
46 the full membership of the board.

1 (5) The trustees shall elect a chairperson and a vice-chairperson
2 from the members of the board.

3 (6) The board shall meet regularly as it may determine, and shall
4 also meet at the call of the chairperson of the board or the Governor.
5 Meetings of the board shall be subject to the "Open Public Meetings
6 Act," P.L.1975, c.231 (C.10:4-6 et seq.).

7

8 5. The Meadowlands Conservation Trust shall have the power to:

9 a. Sue and be sued in its own name;

10 b. Adopt a seal and alter it at pleasure;

11 c. Adopt by-laws for the regulation of its affairs and the conduct
12 of its business, and adopt rules and regulations pursuant to the
13 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
14 as necessary to implement this act;

15 d. Maintain an office or offices at such place or places within the
16 State as it may designate;

17 e. Appoint such officers, who need not be trustees, in addition to
18 a secretary and a treasurer, as the trust shall deem advisable, to
19 establish advisory groups, and to employ such other employees,
20 consultants, and agents, including an executive director, as may be
21 necessary or desirable in its judgment, to fix their compensation, and
22 to promote and discharge such officers, employees, consultants, and
23 agents, all without regard to the provisions of Title 11A, Civil Service,
24 of the New Jersey Statutes;

25 f. Authorize, if deemed useful, the establishment by appropriate
26 persons or organizations of a nonprofit organization or organizations
27 exempt from taxation pursuant to section 501 (c)(3) of the federal
28 Internal Revenue Code of 1986, 26 U.S.C.§501 (c)(3), for the
29 purposes of assisting the trust in furthering the purposes of the trust
30 as set forth in this act;

31 g. Cooperate with and assist, insofar as practicable, any
32 governmental entity or any private entity or person in furtherance of
33 the purposes of the trust;

34 h. Call to its assistance and avail itself of the services of such
35 employees of any governmental entity as it may require and as may be
36 available to it for the purpose of exercising its powers and performing
37 its duties under this act;

38 i. Incur such traveling and other miscellaneous expenses as it may
39 deem necessary in the exercise of its powers and the performance of
40 its duties under this act, and as may be within the limits of funds
41 appropriated or otherwise made available to it for those purposes;

42 j. Acquire in the name of the trust, hold, and dispose of personal
43 property in the exercise of its powers and the performance of its duties
44 under this act;

45 k. Make, enter into, and perform all contracts and agreements
46 necessary or incidental to the exercise of its powers and the

1 performance of its duties under this act. No contract on behalf of the
2 trust shall be entered into for the doing of any work, or for the hiring
3 of equipment or vehicles, if the sum to be expended exceeds the
4 appropriate amount set forth in, or the amount calculated by the
5 Governor pursuant to, section 2 of P.L.1954, c.48 (C.52:34-7), unless
6 the trust first publicly advertises for bids therefor, and awards the
7 contract to the lowest responsible, qualified bidder; but advertising is
8 not required if the contract to be entered into is one for furnishing or
9 performing services of a professional nature, if there is only one source
10 for the product or service being procured, or if the product or service
11 is supplied or rendered by a public utility subject to the jurisdiction of
12 the Board of Public Utilities, and tariffs and schedules of the charges
13 made, charged, or exacted by the public utility for such products to be
14 supplied or services to be rendered are filed with the Board of Public
15 Utilities. The provisions of this subsection shall not prevent the trust
16 from having any work done by its own employees, nor does it apply to
17 repairs, or to the furnishing of materials, supplies or labor, or the
18 hiring of equipment or vehicles, when the safety or protection of its or
19 other public property or the public convenience requires, or the
20 exigency of the circumstances will not admit of such advertisement.
21 In such case the trust shall, by resolution passed by the affirmative
22 vote of a majority of the trustees in attendance, declare the exigency
23 or emergency to exist, and set forth in the resolution the nature thereof
24 and the approximate amount to be expended;

25 l. Apply for and accept any grant or aid, whether from a
26 governmental entity, a nonprofit organization, a foundation or trust,
27 or any other public or private source, that might be or may become
28 available for programs in furtherance of the purposes of the trust, to
29 subscribe to and comply with any rule or regulation with respect to the
30 application of such grant or aid, and to enter into and perform any
31 contract or agreement with respect to the application of such grant or
32 aid;

33 m. Solicit and to accept gifts, donations, legacies, bequests, and
34 endowments, including but not limited to land, money, securities, or
35 other property of value from public or private sources, to enable the
36 trust to acquire and hold or convey land for any purpose which falls
37 within those of the trust; and, unless otherwise specified by the person
38 making such a gift, donation, legacy, bequest, or endowment of money
39 or securities, to invest it in whole or in part as provided in section 6 of
40 P.L. , c. (C.) (now before the Legislature as this bill);

41 n. Solicit and accept rents or royalties, if appropriate, and to apply
42 them to furthering the purposes of the trust;

43 o. Apply all moneys, assets, property, or other things of value it
44 may receive as an incident to its operation to furthering the purposes
45 of the trust;

46 p. Plan and implement strategies to maximize land acquisition and

1 preservation and environmental enhancement in the Hackensack
2 meadowlands and the Hackensack river watershed in keeping with the
3 purposes of the trust;

4 q. Acquire and hold, or acquire and convey to other governmental
5 entities, including but not limited to the New Jersey Natural Lands
6 Trust created pursuant to P.L.1968, c.425 (C.13:1B-15.119 et seq.),
7 or to qualified nonprofit organizations, environmentally important,
8 valuable, or sensitive lands located in the Hackensack meadowlands or
9 within the Hackensack river watershed; and to preserve and manage
10 those lands in their natural state or in a largely natural or undeveloped
11 state for the purposes of conserving and enhancing natural resources,
12 including but not limited to wetlands mitigation sites and banks, and
13 protecting elements of natural diversity, providing open space, or
14 providing public outdoor passive recreational opportunities;

15 r. Establish a special working relationship with the Hackensack
16 Meadowlands Development Commission established pursuant to
17 section 5 of P.L.1968, c.404 (C.13:17-5) and the Hackensack
18 Meadowlands Municipal Committee established pursuant to section 7
19 of P.L.1968, c.404 (C.13:17-7) in furthering the purposes of the trust;

20 s. Establish incentive programs to encourage landowners within the
21 Hackensack meadowlands or the Hackensack river watershed to (1)
22 convey land to the trust or to other public or private entities seeking
23 to preserve land in keeping with the purposes of the trust, or (2)
24 manage their lands in keeping with the purposes of the trust;

25 t. Establish a volunteer stewardship program, and take all
26 reasonable action necessary for management and maintenance of trust
27 property;

28 u. Procure insurance against any losses in connection with its
29 property, operations, or assets, in such amounts and from such
30 insurers as it deems desirable;

31 v. Exercise its powers and perform its duties as required pursuant
32 to sections 9 through 14 of P.L. , c. (C.) (now before the
33 Legislature as this bill) pertaining to the issuance of Meadowlands
34 conservation license plates; and

35 w. Do all acts and things necessary or convenient to exercising its
36 powers and performing its duties under this act in furthering the
37 purposes of the trust.

38
39 6. a. There is established in the Meadowlands Conservation Trust
40 a trust fund, to be known as the "Meadowlands Conservation Trust
41 Fund," and the moneys therein are to be held in those depositories as
42 the State Treasurer may select. The State Treasurer shall deposit into
43 the trust fund all moneys: (1) received as a grant or other form of aid
44 by the trust or by the State and designated for the trust; (2) given,
45 donated, bequeathed, or endowed to the trust from public or private
46 sources; (3) received as rent or as a royalty by the trust or by the State

1 on behalf of the trust; (4) received as net revenues from the Division
2 of Motor Vehicles in the Department of Transportation in connection
3 with the issuance of Meadowlands conservation license plates as
4 provided pursuant to sections 9 through 14 of P.L. , c. (C.) (now
5 before the Legislature as this bill); and (5) appropriated or otherwise
6 made available to the trust by the State. The moneys in the trust fund
7 are specifically dedicated and shall be utilized only for the purposes of
8 the trust as set forth in this act. Such grants, contributions, donations,
9 and reimbursements from federal aid programs as may be lawfully used
10 for the purposes of the trust as set forth in this act shall also be held
11 in the trust fund. Moneys in the trust fund shall not be expended
12 except in accordance with appropriations from the trust fund made by
13 law. Any act appropriating moneys from the trust fund to acquire land
14 shall identify the particular project or projects to be funded by the
15 moneys, and any expenditure for a land acquisition project for which
16 the location is not identified by municipality and county in the
17 appropriation shall require the approval of the Joint Budget Oversight
18 Committee or its successor. Pending their application to the purposes
19 set forth in this act, the moneys in the trust fund shall be invested and
20 reinvested as are trust funds in the custody of the State Treasurer, in
21 the manner provided by law. Net earnings received from the
22 investment or deposit of moneys in the trust fund shall be redeposited
23 therein and become part of the trust fund to be used only for the
24 purposes of the trust.

25 b. (1) No moneys in the Meadowlands Conservation Trust Fund
26 shall be utilized for the development of any land for any purpose or for
27 the acquisition of land that will not remain in a natural or largely
28 natural or undeveloped state, except that up to 5% of the moneys
29 annually received and deposited into the trust fund may be utilized to
30 pay for development of sites to allow for public access and
31 environmental education and interpretation and for the development
32 of trails, and up to 2% of the moneys annually received and deposited
33 into the trust fund may be utilized to pay for promotional and program
34 awareness efforts.

35 (2) No moneys in the trust fund shall be utilized to pay or
36 discharge the principal of or interest on any indebtedness incurred for
37 any purpose by the trust or any other governmental entity.

38 c. Notwithstanding any law, rule, or regulation to the contrary, any
39 proceeds returned to the trust or the State from the conveyance of
40 lands acquired by the trust with moneys from the "Meadowlands
41 Conservation Trust Fund" or from other sources shall be redeposited
42 therein and become part of the trust fund to be used only for the
43 purposes of the trust.

44

45 7. The trustees may request, and upon such request shall receive,
46 from the Attorney General of the State of New Jersey, all legal counsel

1 and services necessary to further the purposes of the trust.

2

3 8. The trust shall report annually to the Governor and the
4 Legislature of the State of New Jersey as to its activities during the
5 preceding year, together with any recommendations or requests the
6 trustees deem appropriate to further the purposes of the trust.

7

8 9. The Director of the Division of Motor Vehicles in the
9 Department of Transportation shall, upon proper application therefor,
10 issue Meadowlands conservation license plates for any motor vehicle
11 owned or leased and registered in the State. In addition to the
12 registration number and other markings or identification otherwise
13 prescribed by law, a Meadowlands conservation license plate shall
14 display words or a slogan and an emblem indicating support for, or an
15 interest in, conservation of the Hackensack meadowlands and the
16 Hackensack river watershed. The words or slogan and emblem shall
17 be chosen by the director; however, the director shall solicit, in
18 conjunction with the Legislature, input on the design of the plate from
19 the general public and from the board of trustees of the Meadowlands
20 Conservation Trust created pursuant to section 4 of P.L. , c. (C.)
21 (now before the Legislature as this bill), and shall review the
22 submissions prior to choosing the design. Issuance of Meadowlands
23 conservation license plates in accordance with this section shall be
24 subject to the provisions of chapter 3 of Title 39 of the Revised
25 Statutes, except as hereinafter otherwise specifically provided.

26

27 10. a. Application for issuance of a Meadowlands conservation
28 license plate shall be made to the Division of Motor Vehicles on forms
29 and in a manner as may be prescribed by the director. In order to be
30 deemed complete, an application shall be accompanied by a fee of \$50
31 payable to the Division of Motor Vehicles, which fee shall be in
32 addition to all fees otherwise required by law for the registration of the
33 motor vehicle.

34 b. The annual fee for the registration certificate of a motor vehicle
35 that has been issued a Meadowlands conservation license plate
36 pursuant to the provisions of sections 9 through 14 of P.L. , c.
37 (C.) (now before the Legislature as this bill) shall include in each
38 year subsequent to the year of issuance a fee in the amount of \$10,
39 which fee shall be in addition to all fees otherwise required by law for
40 the renewal of the registration of the motor vehicle and shall be
41 collected by the Division of Motor Vehicles and remitted to the
42 Meadowlands Conservation Trust created pursuant to section 3 of
43 P.L. , c. (C.) (now before the Legislature as this bill) for deposit
44 in the Meadowlands Conservation Trust Fund created pursuant to
45 section 6 of P.L. , c. (C.) (now before the Legislature as this bill).

1 11. There shall be deposited in the Meadowlands Conservation
2 Trust Fund created pursuant to section 6 of P.L. , c. (C.) (now
3 before the Legislature as this bill) the amount collected from all license
4 plate fees collected pursuant to section 10 of P.L. , c. (C.) (now
5 before the Legislature as this bill), less the amounts necessary to
6 reimburse the Division of Motor Vehicles for all costs authorized
7 pursuant to section 12 of P.L. , c. (C.) (now before the Legislature
8 as this bill).

9
10 12. a. Prior to the deposit of license plate fees collected pursuant
11 to section 10 of P.L. , c. (C.) (now before the Legislature as this
12 bill) into the Meadowlands Conservation Trust Fund created pursuant
13 to section 6 of P.L. , c. (C.) (now before the Legislature as this
14 bill), amounts thereof as are necessary shall be used to reimburse the
15 Division of Motor Vehicles for all costs reasonably and actually
16 incurred, as stipulated by the director, for:

17 (1) producing, issuing, renewing, and publicizing the availability of
18 Meadowlands conservation license plates; and

19 (2) any initial computer programming changes that may be
20 necessary to implement the Meadowlands conservation license plate
21 program established pursuant to sections 9 through 14 of P.L. ,
22 c. (C.) (now before the Legislature as this bill).

23 b. The Director of the Division of Motor Vehicles shall annually
24 certify to the board of trustees of the Meadowlands Conservation
25 Trust created pursuant to section 4 of P.L. , c. (C.) (now before
26 the Legislature as this bill) the average cost per license plate incurred
27 in the immediately preceding year by the Division of Motor Vehicles
28 in producing, issuing, renewing, and publicizing the availability of
29 Meadowlands conservation license plates. The annual certification of
30 the average cost per license plate shall be approved by the Joint
31 Budget Oversight Committee or its successor.

32 c. In the event that the average cost per license plate as certified by
33 the director and approved by the Joint Budget Oversight Committee,
34 or its successor, is greater than the \$50 application fee established in
35 subsection a. of section 10 of P.L. , c. (C.) (now before the
36 Legislature as this bill) in two consecutive fiscal years, the director
37 may discontinue the issuance of Meadowlands conservation license
38 plates.

39
40 13. The Director of the Division of Motor Vehicles shall notify
41 eligible motorists of the opportunity to obtain Meadowlands
42 conservation license plates by including a notice with all motor vehicle
43 registration renewals, and by posting appropriate posters or signs in
44 all facilities and offices of the Division of Motor Vehicles. The
45 notices, posters, and signs shall be designed by the board of trustees
46 of the Meadowlands Conservation Trust created pursuant to section

1 4 of P.L. , c. (C.) (now before the Legislature as this bill). The
2 designs shall be subject to the approval of the director, and the board
3 of trustees of the Meadowlands Conservation Trust shall supply the
4 Division of Motor Vehicles with the notices, posters, and signs to be
5 circulated or posted by that division.

6
7 14. The board of trustees of the Meadowlands Conservation Trust
8 created pursuant to section 4 of P.L. , c. (C.) (now before the
9 Legislature as this bill), the Director of the Division of Motor
10 Vehicles, and the State Treasurer shall develop and enter into an
11 interagency memorandum of agreement setting forth the procedures
12 to be followed by those parties in carrying out their respective
13 responsibilities under sections 9 through 14 of P.L. , c. (C.) (now
14 before the Legislature as this bill).

15
16 15. Notwithstanding any law, rule, or regulation to the contrary,
17 real property acquired by the Meadowlands Conservation Trust
18 created pursuant to P.L. , c. (C.) (now before the Legislature as
19 this bill) pursuant to purchase, conveyance, bequest, exchange,
20 donation, acceptance, or otherwise shall become exempt from taxation
21 and the payment of any in lieu of tax obligation as of the date of
22 acquisition by the trust. If, at the time of acquisition by the trust, the
23 prior owner has paid the taxes or any in lieu of tax obligation for the
24 current tax year in full or for a period beyond the date of acquisition
25 by the trust, the prior owner shall be entitled to a prorated refund from
26 the taxing authority of the taxes or in lieu of tax obligations paid by
27 the prior owner for the remaining portion of the tax year beyond the
28 date of acquisition by the trust. If insufficient or no taxes, or
29 insufficient or no in lieu of tax obligations, shall have been paid by the
30 prior owner for the portion of the tax year prior to acquisition by the
31 trust, the prior owner shall pay the amount due for that period to the
32 appropriate taxing authority.

33
34 16. Sections 1 through 8 and section 15 of this act shall take effect
35 immediately and sections 9 through 14 of this act shall take effect on
36 the 180th day after the date of enactment, but the State Treasurer, the
37 Director of the Division of Motor Vehicles, and the board of trustees
38 of the Meadowlands Conservation Trust, created pursuant to section
39 4 of this act, may take such anticipatory acts in advance of the 180th
40 day after the date of enactment as may be necessary for the timely
41 implementation of sections 9 through 14 of this act upon the effective
42 date thereof.

43
44 STATEMENT

45
46 This bill would create the Meadowlands Conservation Trust in but

1 not of the Hackensack Meadowlands Development Commission. The
2 purposes of the trust would be to acquire and hold, or acquire and
3 convey to other governmental entities or to qualified nonprofit
4 organizations, environmentally important, valuable, or sensitive lands
5 located in the Hackensack meadowlands or within the Hackensack
6 river watershed, which lands would be permanently preserved and
7 managed in their natural state or in a largely natural or undeveloped
8 state for the purposes of conserving and enhancing natural resources,
9 protecting elements of natural diversity, providing open space, or
10 providing public outdoor passive recreational opportunities.

11 The trust would be administered by a seven-member board of
12 trustees comprising: four private citizens appointed by the Governor,
13 with the advice and consent of the Senate; the Commissioner of
14 Community Affairs; the executive director of the Hackensack
15 Meadowlands Development Commission; and a mayor, or elected chief
16 executive of a municipality, appointed by, and who would serve at the
17 pleasure of, the Hackensack Meadowlands Municipal Committee.

18 The trust would be empowered to, among other things:

19 (1) plan and implement strategies to maximize land acquisition and
20 preservation and environmental enhancement in the Hackensack
21 meadowlands and the Hackensack river watershed in keeping with the
22 purposes of the trust;

23 (2) acquire and hold, or acquire and convey to other governmental
24 entities, including but not limited to the New Jersey Natural Lands
25 Trust, or to qualified nonprofit organizations, environmentally
26 important, valuable, or sensitive lands located in the Hackensack
27 meadowlands or within the Hackensack river watershed; and preserve
28 and manage those lands in their natural state or in a largely natural or
29 undeveloped state for the purposes of conserving and enhancing
30 natural resources, including but not limited to wetlands mitigation sites
31 and banks, and protecting elements of natural diversity, providing open
32 space, or providing public outdoor passive recreational opportunities;

33 (3) establish a special working relationship with the Hackensack
34 Meadowlands Development Commission and the Hackensack
35 Meadowlands Municipal Committee in furthering the purposes of the
36 trust;

37 (4) apply for and accept grants and other aid; solicit and accept
38 gifts, donations, legacies, bequests, and endowments; and solicit and
39 accept rents or royalties, all to be used for the purposes of the trust;

40 (5) if deemed useful, authorize establishment by appropriate
41 persons or organizations of a tax-exempt nonprofit organization or
42 organizations for the purposes of assisting the trust; and

43 (6) establish incentive programs to encourage landowners within
44 the Hackensack meadowlands or the Hackensack river watershed to
45 (a) convey land to the trust or to other public or private entities
46 seeking to preserve land in keeping with the purposes of the trust, or

1 (b) manage their lands in keeping with the purposes of the trust.

2 The bill would also establish the "Meadowlands Conservation Trust
3 Fund." The trust fund would be the depository for all moneys: (1)
4 received as a grant or other form of aid by the trust or by the State and
5 designated for the trust; (2) given, donated, bequeathed, or endowed
6 to the trust from public or private sources; (3) received as rent or as
7 a royalty by the trust or by the State on behalf of the trust; (4)
8 received as net revenues from the Division of Motor Vehicles in the
9 Department of Transportation in connection with the issuance of
10 Meadowlands conservation license plates as authorized by the bill; and
11 (5) appropriated or otherwise made available to the trust by the State.
12 The moneys in the trust fund would be specifically dedicated to be
13 used only for the purposes of the trust. No moneys in the trust fund
14 could be utilized for the development of any land for any purpose or
15 for the acquisition of land that will not remain in a natural or largely
16 natural or undeveloped state, except that up to 5% of the moneys
17 annually received and deposited into the trust fund could be used to
18 pay for development of sites to allow for public access and
19 environmental education and interpretation and for the development
20 of trails, and up to 2% of the moneys annually received and deposited
21 into the trust fund could be used to pay for promotional and program
22 awareness efforts. No moneys in the trust fund could be used to pay
23 or discharge the principal of or interest on any indebtedness incurred
24 for any purpose by the trust or any other governmental entity.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1435

STATE OF NEW JERSEY

DATED: FEBRUARY 26, 1998

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 1435.

This bill would create the Meadowlands Conservation Trust in but not of the Hackensack Meadowlands Development Commission. The purposes of the trust would be to acquire and hold, or acquire and convey to other governmental entities or to qualified nonprofit organizations, environmentally important, valuable, or sensitive lands located in the Hackensack meadowlands or within the Hackensack river watershed, which lands would be permanently preserved and managed in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing natural resources, protecting elements of natural diversity, providing open space, or providing public outdoor passive recreational opportunities. Any lands acquired by the trust would become exempt from taxation and the payment of any in lieu of tax obligation upon the date of acquisition.

The trust would be administered by a seven-member board of trustees comprising: four private citizens appointed by the Governor, with the advice and consent of the Senate; the Commissioner of Community Affairs; the executive director of the Hackensack Meadowlands Development Commission; and a mayor, or elected chief executive of a municipality, appointed by, and who would serve at the pleasure of, the Hackensack Meadowlands Municipal Committee.

The trust would be empowered to, among other things:

(1) plan and implement strategies to maximize land acquisition and preservation and environmental enhancement in the Hackensack meadowlands and the Hackensack river watershed in keeping with the purposes of the trust;

(2) acquire and hold, or acquire and convey to other governmental entities, including but not limited to the New Jersey Natural Lands Trust, or to qualified nonprofit organizations, environmentally important, valuable, or sensitive lands located in the Hackensack meadowlands or within the Hackensack river watershed; and preserve and manage those lands in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing

natural resources, including but not limited to wetlands mitigation sites and banks, and protecting elements of natural diversity, providing open space, or providing public outdoor passive recreational opportunities;

(3) establish a special working relationship with the Hackensack Meadowlands Development Commission and the Hackensack Meadowlands Municipal Committee in furthering the purposes of the trust;

(4) apply for and accept grants and other aid; solicit and accept gifts, donations, legacies, bequests, and endowments; and solicit and accept rents or royalties, all to be used for the purposes of the trust;

(5) if deemed useful, authorize establishment by appropriate persons or organizations of a tax-exempt nonprofit organization or organizations for the purposes of assisting the trust; and

(6) establish incentive programs to encourage landowners within the Hackensack meadowlands or the Hackensack river watershed to
 (a) convey land to the trust or to other public or private entities seeking to preserve land in keeping with the purposes of the trust, or
 (b) manage their lands in keeping with the purposes of the trust.

The bill would also establish the "Meadowlands Conservation Trust Fund." The trust fund would be the depository for all moneys: (1) received as a grant or other form of aid by the trust or by the State and designated for the trust; (2) given, donated, bequeathed, or endowed to the trust from public or private sources; (3) received as rent or as a royalty by the trust or by the State on behalf of the trust; (4) received as net revenues from the Division of Motor Vehicles in the Department of Transportation in connection with the issuance of Meadowlands conservation license plates as authorized by the bill; and (5) appropriated or otherwise made available to the trust by the State. The moneys in the trust fund would be specifically dedicated to be used only for the purposes of the trust. No moneys in the trust fund could be utilized for the development of any land for any purpose or for the acquisition of land that will not remain in a natural or largely natural or undeveloped state, except that up to 5% of the moneys annually received and deposited into the trust fund could be used to pay for development of sites to allow for public access and environmental education and interpretation and for the development of trails, and up to 2% of the moneys annually received and deposited into the trust fund could be used to pay for promotional and program awareness efforts. No moneys in the trust fund could be used to pay or discharge the principal of or interest on any indebtedness incurred for any purpose by the trust or any other governmental entity.

This bill was pre-filed for introduction in the 1998-1999 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1435

STATE OF NEW JERSEY

DATED: MARCH 30, 1998

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1435.

Assembly Bill No. 1435 creates the Meadowlands Conservation Trust to acquire and hold environmentally important, valuable, or sensitive lands located in the Hackensack meadowlands or within the Hackensack river watershed for conserving and enhancing those natural resources. Any lands acquired by the trust would become exempt from taxation and the payment of any in lieu of tax obligation upon the date of acquisition.

The Conservation Trust would be administered by a seven-member board of trustees that would be empowered to plan and implement strategies to maximize land acquisition and preservation; to acquire or convey lands as described above; to preserve and manage those lands in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing natural resources; to apply for and accept grants, gifts, donations, legacies, bequests, and endowments; and to solicit and accept rents or royalties.

The bill also establishes the Meadowlands Conservation Trust Fund. The trust fund would be the depository for all monies received as a grant or other form of aid for the Conservation Trust, including revenues connected with the issuance of Meadowlands conservation license plates as authorized by the bill.

The moneys in the trust fund would be specifically dedicated to be used only for the purposes of the trust. No moneys in the trust fund could be utilized for the development of any land for any purpose or for the acquisition of land that will not remain in a natural or largely natural or undeveloped state, except that a) up to 5% of the moneys annually received and deposited into the trust fund could be used to pay for development of sites to allow for public access and environmental education and interpretation and for the development of trails, and b) up to 2% of the moneys annually received and deposited into the trust fund could be used to pay for promotional and program awareness efforts. No moneys in the trust fund could be used to pay or discharge the principal of or interest on any indebtedness incurred for any purpose by the trust or any other governmental entity.

FISCAL IMPACT:

The Office of Legislative Services (OLS), in an estimate for an identical bill in a prior session, estimated that approximately \$75,000 to \$100,000 would be needed annually to administer the Conservation Trust. That estimate was based on the annual operating budget of the N.J. Natural Lands Trust, an independent corporation that is "in, but not of" the Department of Environmental Protection (DEP). That agency annually receives a State appropriation of \$90,000 for the salary costs of two DEP employees and non-salary expenses.

Due to the uncertain nature of the availability of both public and non-public monies for the purposes set forth in the bill, the OLS cannot estimate the amount of revenues the Conservation Trust may receive initially or annually from the funding sources cited by the bill.

With respect to the proposed issuance of Meadowlands conservation license plates, estimates for previous bills authorizing the issuance of special license plates found that the Division of Motor Vehicles (DMV) projected total fixed costs to be about \$41,000 for reprogramming agency and revenue automated systems, and for one-time die costs. Variable costs were estimated to be about \$10 for the issuance of each set of special plates. The DMV did not project revenues for the proposed license plates in any of these previous bills. However, as a possible reference range for potential revenues DMV had estimated that FY 1997 revenues from special plates for animal welfare would provide about \$450,000; plates for wildlife conservation would provide about \$270,000; and plates for shore conservation would provide about \$1,127,000.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1435

STATE OF NEW JERSEY

DATED: DECEMBER 10, 1998

The Senate Environment Committee favorably reports Assembly Bill No. 1435.

Assembly Bill No. 1435 creates the Meadowlands Conservation Trust to acquire and hold environmentally important, valuable, or sensitive lands located in the Hackensack meadowlands or within the Hackensack river watershed for conserving and enhancing those natural resources. Any lands acquired by the trust would become exempt from taxation and the payment of any in lieu of tax obligation upon the date of acquisition.

The Conservation Trust would be administered by a seven-member board of trustees that would be empowered to plan and implement strategies to maximize land acquisition and preservation; to acquire or convey lands as described above; to preserve and manage those lands in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing natural resources; to apply for and accept grants, gifts, donations, legacies, bequests, and endowments; and to solicit and accept rents or royalties.

The bill also establishes the Meadowlands Conservation Trust Fund. The trust fund would be the depository for all monies received as a grant or other form of aid for the Conservation Trust, including revenues connected with the issuance of Meadowlands conservation license plates as authorized by the bill.

The moneys in the trust fund would be specifically dedicated to be used only for the purposes of the trust. No moneys in the trust fund could be utilized for the development of any land for any purpose or for the acquisition of land that will not remain in a natural or largely natural or undeveloped state, except that a) up to 5% of the moneys annually received and deposited into the trust fund could be used to pay for development of sites to allow for public access and environmental education and interpretation and for the development of trails, and b) up to 2% of the moneys annually received and deposited into the trust fund could be used to pay for promotional and program awareness efforts. No moneys in the trust fund could be used to pay or discharge the principal of or interest on any indebtedness incurred for any purpose by the trust or any other governmental entity.

This bill is identical to Senate Bill No. 1498.

LEGISLATIVE FISCAL ESTIMATE

ASSEMBLY, No. 1435

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: APRIL 20, 1998

Assembly Bill No. 1435 of 1998 creates the Meadowlands Conservation Trust, an instrumentality statutorily situated "in, but not of" the Hackensack Meadowlands Development Commission (HMDC). The purposes of the trust would be to acquire and hold, or acquire and convey to other governmental or qualified nonprofit entities, environmentally important lands located in the Hackensack meadowlands or within the Hackensack river watershed. Many of the bill's provisions are based on an internal HMDC staff report, with input from various non-profit groups and organizations, that addressed the feasibility of creating a land conservancy in the Hackensack Meadowlands District.

The Conservation Trust would be administered by a seven-member board of trustees that would be empowered to plan and implement strategies to maximize land acquisition and preservation; to acquire or convey lands as described above; to preserve and manage those lands in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing natural resources; to apply for and accept grants, gifts, donations, legacies, bequests, and endowments; and to solicit and accept rents or royalties.

The bill also establishes the Meadowlands Conservation Trust Fund. The trust fund would be the depository for all monies received as a grant or other form of aid for the Conservation Trust, including revenues connected with the issuance of Meadowlands conservation license plates as authorized by the bill.

The Office of Legislative Services (OLS) estimates that approximately \$75,000 to \$100,000 would be needed annually to administer the Conservation Trust. This estimate is based on the annual operating budget of the N.J. Natural Lands Trust, an independent corporation that is "in, but not of" the Department of Environmental Protection (DEP). This agency annually receives a State appropriation of \$90,000 that pays for the salary costs of two DEP employees and non-salary expenses. The HMDC staff report recommended that the Conservation Trust be organizationally modeled after the Natural Lands Trust.

Due to the uncertain nature of the availability of both public and non-public monies for the purposes set forth in the bill, the OLS cannot estimate the amount of revenues the Conservation Trust may receive initially or annually from the funding sources cited by the bill. With respect to the proposed issuance of Meadowlands conservation license plates, estimates for previous bills authorizing the issuance of special license plates found that the Division of Motor Vehicles (DMV) projected total fixed costs to be about \$41,000 for reprogramming agency and revenue automated systems, and for one-time die costs. Variable costs were estimated to be about \$10 for the issuance of each set of special plates. The DMV did not project revenues for the proposed license plates in any of these previous bills. However, as a possible reference range for potential revenues, the OLS notes that the FY 1997 revenues from special plates were \$270,000 for wildlife conservation and \$1,127,000 for shore conservation.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 1498

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED NOVEMBER 23, 1998

Sponsored by:

Senator HENRY P. MCNAMARA

District 40 (Bergen and Passaic)

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

SYNOPSIS

Creates Meadowlands Conservation Trust to preserve land in the Hackensack meadowlands and the Hackensack river watershed for conservation purposes; and creates Meadowlands conservation license plate to raise revenue therefor.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the Hackensack meadowlands and the
2 Hackensack river watershed, creating the Meadowlands
3 Conservation Trust, and supplementing Titles 13, 39, and 54 of the
4 Revised Statutes.

5

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

8

9 1. This act shall be known, and may be cited, as the "Meadowlands
10 Conservation Trust Act."

11

12 2. As used in this act:

13 "Board" means the board of trustees of the Meadowlands
14 Conservation Trust established pursuant to section 4 of P.L., c. (C.)
15 (now before the Legislature as this bill);

16 "Convey" means to sell, transfer, lease, or donate land;

17 "Governmental entity" means the federal government, the State, a
18 bi-state agency, a county, or a municipality, or any political
19 subdivision, department, authority, board, bureau, commission, or
20 agency thereof; an independent authority; Rutgers, The State
21 University, or any other public institution of higher education in the
22 State; or the Hackensack Meadowlands Development Commission
23 established pursuant to section 5 of P.L.1968, c.404 (C.13:17-5);

24 "Hackensack meadowlands" means the same as that term is defined
25 pursuant to section 3 of P.L.1968, c.404 (C.13:17-3);

26 "Land" or "lands" means real property, including improvements
27 thereof or thereon, rights-of-way, water, riparian and other rights,
28 easements, and privileges, and all other rights or interests of any kind
29 or description in, relating to, or connected with real property; and

30 "Trust" means the Meadowlands Conservation Trust created
31 pursuant to section 3 of P.L. , c. (C.) (now before the Legislature
32 as this bill).

33

34 3. There is created in but not of the Hackensack Meadowlands
35 Development Commission, established pursuant to section 5 of
36 P.L.1968, c.404 (C.13:17-5), a body corporate and politic with
37 corporate succession, to be known as the Meadowlands Conservation
38 Trust. The trust is hereby constituted as an instrumentality exercising
39 public and essential government functions and the exercise by the trust
40 of the powers conferred by this act shall be deemed and held to be an
41 essential government function of the State. The purposes of the trust
42 shall be to acquire and hold, or acquire and convey to other
43 governmental entities or to qualified nonprofit organizations,
44 environmentally important, valuable, or sensitive lands located in the
45 Hackensack meadowlands or within the Hackensack river watershed,
46 which lands shall be permanently preserved and managed in their

1 natural state or in a largely natural or undeveloped state for the
2 purposes of conserving and enhancing natural resources, protecting
3 elements of natural diversity, providing open space, or providing
4 public outdoor passive recreational opportunities.

5
6 4. a. The powers and duties of the trust shall vest in and be
7 exercised by a board of trustees, comprised of seven voting members,
8 of whom four shall be private citizens appointed by the Governor, with
9 the advice and consent of the Senate. The four trustees thus appointed
10 shall serve for three-year terms and shall continue to serve until
11 succeeded; except, of the four trustees first appointed, two shall serve
12 a term of three years, one shall serve a term of two years, and one
13 shall serve a term of one year. A trustee may be reappointed to a
14 succeeding term or terms. The Governor shall appoint the four
15 trustees from a list of 12 candidates that shall be provided by the
16 following entities within 90 days of the effective date of this section:
17 American Littoral Society - Baykeeper; The Nature Conservancy; New
18 Jersey Audubon Society; New Jersey Chapter of the Sierra Club; New
19 Jersey Conservation Foundation; and The Trust for Public Land. Each
20 of those six entities shall provide two nominees for the list of 12
21 candidates. In the event that less than 12 candidates are provided by
22 those six entities, persons suggested to the Governor by other
23 nonprofit organizations having open space preservation or
24 environmental education as their corporate purpose shall be added to
25 the list to make a total of 12 candidates to be considered by the
26 Governor for the four appointments.

27 The remaining three trustees, all of whom shall serve ex officio,
28 shall be: the Commissioner of Community Affairs or the
29 commissioner's designee; the executive director of the Hackensack
30 Meadowlands Development Commission, or the executive director's
31 designee; and a mayor, or elected chief executive of a municipality,
32 appointed by, and who shall serve at the pleasure of, the Hackensack
33 Meadowlands Municipal Committee established pursuant to section 7
34 of P.L.1968, c.404 (C.13:17-7).

35 b. (1) A trustee may be removed for cause by the appropriate
36 appointing authority.

37 (2) A vacancy on the board shall be filled in the same manner as the
38 original appointment was made.

39 (3) The trustees shall serve without compensation, but may be
40 reimbursed for all reasonable expenses necessarily incurred in the
41 discharge of their official duties.

42 (4) A majority of the full membership of the board shall constitute
43 a quorum for the transaction of business.

44 Action may be taken and motions and resolutions adopted by the
45 board at any meeting thereof by the affirmative vote of a majority of
46 the full membership of the board.

1 (5) The trustees shall elect a chairperson and a vice-chairperson
2 from the members of the board.

3 (6) The board shall meet regularly as it may determine, and shall
4 also meet at the call of the chairperson of the board or the Governor.
5 Meetings of the board shall be subject to the "Open Public Meetings
6 Act," P.L.1975, c.231 (C.10:4-6 et seq.).

7

8 5. The Meadowlands Conservation Trust shall have the power to:

9 a. Sue and be sued in its own name;

10 b. Adopt a seal and alter it at pleasure;

11 c. Adopt by-laws for the regulation of its affairs and the conduct
12 of its business, and adopt rules and regulations pursuant to the
13 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
14 as necessary to implement this act;

15 d. Maintain an office or offices at such place or places within the
16 State as it may designate;

17 e. Appoint such officers, who need not be trustees, in addition to
18 a secretary and a treasurer, as the trust shall deem advisable, to
19 establish advisory groups, and to employ such other employees,
20 consultants, and agents, including an executive director, as may be
21 necessary or desirable in its judgment, to fix their compensation, and
22 to promote and discharge such officers, employees, consultants, and
23 agents, all without regard to the provisions of Title 11A, Civil Service,
24 of the New Jersey Statutes;

25 f. Authorize, if deemed useful, the establishment by appropriate
26 persons or organizations of a nonprofit organization or organizations
27 exempt from taxation pursuant to section 501 (c)(3) of the federal
28 Internal Revenue Code of 1986, 26 U.S.C.§501 (c)(3), for the
29 purposes of assisting the trust in furthering the purposes of the trust
30 as set forth in this act;

31 g. Cooperate with and assist, insofar as practicable, any
32 governmental entity or any private entity or person in furtherance of
33 the purposes of the trust;

34 h. Call to its assistance and avail itself of the services of such
35 employees of any governmental entity as it may require and as may be
36 available to it for the purpose of exercising its powers and performing
37 its duties under this act;

38 i. Incur such traveling and other miscellaneous expenses as it may
39 deem necessary in the exercise of its powers and the performance of
40 its duties under this act, and as may be within the limits of funds
41 appropriated or otherwise made available to it for those purposes;

42 j. Acquire in the name of the trust, hold, and dispose of personal
43 property in the exercise of its powers and the performance of its duties
44 under this act;

45 k. Make, enter into, and perform all contracts and agreements
46 necessary or incidental to the exercise of its powers and the

1 performance of its duties under this act. No contract on behalf of the
2 trust shall be entered into for the doing of any work, or for the hiring
3 of equipment or vehicles, if the sum to be expended exceeds the
4 appropriate amount set forth in, or the amount calculated by the
5 Governor pursuant to, section 2 of P.L.1954, c.48 (C.52:34-7), unless
6 the trust first publicly advertises for bids therefor, and awards the
7 contract to the lowest responsible, qualified bidder; but advertising is
8 not required if the contract to be entered into is one for furnishing or
9 performing services of a professional nature, if there is only one source
10 for the product or service being procured, or if the product or service
11 is supplied or rendered by a public utility subject to the jurisdiction of
12 the Board of Public Utilities, and tariffs and schedules of the charges
13 made, charged, or exacted by the public utility for such products to be
14 supplied or services to be rendered are filed with the Board of Public
15 Utilities. The provisions of this subsection shall not prevent the trust
16 from having any work done by its own employees, nor does it apply to
17 repairs, or to the furnishing of materials, supplies or labor, or the
18 hiring of equipment or vehicles, when the safety or protection of its or
19 other public property or the public convenience requires, or the
20 exigency of the circumstances will not admit of such advertisement.
21 In such case the trust shall, by resolution passed by the affirmative
22 vote of a majority of the trustees in attendance, declare the exigency
23 or emergency to exist, and set forth in the resolution the nature thereof
24 and the approximate amount to be expended;

25 l. Apply for and accept any grant or aid, whether from a
26 governmental entity, a nonprofit organization, a foundation or trust,
27 or any other public or private source, that might be or may become
28 available for programs in furtherance of the purposes of the trust, to
29 subscribe to and comply with any rule or regulation with respect to the
30 application of such grant or aid, and to enter into and perform any
31 contract or agreement with respect to the application of such grant or
32 aid;

33 m. Solicit and to accept gifts, donations, legacies, bequests, and
34 endowments, including but not limited to land, money, securities, or
35 other property of value from public or private sources, to enable the
36 trust to acquire and hold or convey land for any purpose which falls
37 within those of the trust; and, unless otherwise specified by the person
38 making such a gift, donation, legacy, bequest, or endowment of money
39 or securities, to invest it in whole or in part as provided in section 6 of
40 P.L. , c. (C.) (now before the Legislature as this bill);

41 n. Solicit and accept rents or royalties, if appropriate, and to apply
42 them to furthering the purposes of the trust;

43 o. Apply all moneys, assets, property, or other things of value it
44 may receive as an incident to its operation to furthering the purposes
45 of the trust;

46 p. Plan and implement strategies to maximize land acquisition and

1 preservation and environmental enhancement in the Hackensack
2 meadowlands and the Hackensack river watershed in keeping with the
3 purposes of the trust;

4 q. Acquire and hold, or acquire and convey to other governmental
5 entities, including but not limited to the New Jersey Natural Lands
6 Trust created pursuant to P.L.1968, c.425 (C.13:1B-15.119 et seq.),
7 or to qualified nonprofit organizations, environmentally important,
8 valuable, or sensitive lands located in the Hackensack meadowlands or
9 within the Hackensack river watershed; and to preserve and manage
10 those lands in their natural state or in a largely natural or undeveloped
11 state for the purposes of conserving and enhancing natural resources,
12 including but not limited to wetlands mitigation sites and banks, and
13 protecting elements of natural diversity, providing open space, or
14 providing public outdoor passive recreational opportunities;

15 r. Establish a special working relationship with the Hackensack
16 Meadowlands Development Commission established pursuant to
17 section 5 of P.L.1968, c.404 (C.13:17-5) and the Hackensack
18 Meadowlands Municipal Committee established pursuant to section 7
19 of P.L.1968, c.404 (C.13:17-7) in furthering the purposes of the trust;

20 s. Establish incentive programs to encourage landowners within the
21 Hackensack meadowlands or the Hackensack river watershed to (1)
22 convey land to the trust or to other public or private entities seeking
23 to preserve land in keeping with the purposes of the trust, or (2)
24 manage their lands in keeping with the purposes of the trust;

25 t. Establish a volunteer stewardship program, and take all
26 reasonable action necessary for management and maintenance of trust
27 property;

28 u. Procure insurance against any losses in connection with its
29 property, operations, or assets, in such amounts and from such
30 insurers as it deems desirable;

31 v. Exercise its powers and perform its duties as required pursuant
32 to sections 9 through 14 of P.L. , c. (C.) (now before the
33 Legislature as this bill) pertaining to the issuance of Meadowlands
34 conservation license plates; and

35 w. Do all acts and things necessary or convenient to exercising its
36 powers and performing its duties under this act in furthering the
37 purposes of the trust.

38
39 6. a. There is established in the Meadowlands Conservation Trust
40 a trust fund, to be known as the "Meadowlands Conservation Trust
41 Fund," and the moneys therein are to be held in those depositories as
42 the State Treasurer may select. The State Treasurer shall deposit into
43 the trust fund all moneys: (1) received as a grant or other form of aid
44 by the trust or by the State and designated for the trust; (2) given,
45 donated, bequeathed, or endowed to the trust from public or private
46 sources; (3) received as rent or as a royalty by the trust or by the State

1 on behalf of the trust; (4) received as net revenues from the Division
2 of Motor Vehicles in the Department of Transportation in connection
3 with the issuance of Meadowlands conservation license plates as
4 provided pursuant to sections 9 through 14 of P.L. , c. (C.) (now
5 before the Legislature as this bill); and (5) appropriated or otherwise
6 made available to the trust by the State. The moneys in the trust fund
7 are specifically dedicated and shall be utilized only for the purposes of
8 the trust as set forth in this act. Such grants, contributions, donations,
9 and reimbursements from federal aid programs as may be lawfully used
10 for the purposes of the trust as set forth in this act shall also be held
11 in the trust fund. Moneys in the trust fund shall not be expended
12 except in accordance with appropriations from the trust fund made by
13 law. Any act appropriating moneys from the trust fund to acquire land
14 shall identify the particular project or projects to be funded by the
15 moneys, and any expenditure for a land acquisition project for which
16 the location is not identified by municipality and county in the
17 appropriation shall require the approval of the Joint Budget Oversight
18 Committee or its successor. Pending their application to the purposes
19 set forth in this act, the moneys in the trust fund shall be invested and
20 reinvested as are trust funds in the custody of the State Treasurer, in
21 the manner provided by law. Net earnings received from the
22 investment or deposit of moneys in the trust fund shall be redeposited
23 therein and become part of the trust fund to be used only for the
24 purposes of the trust.

25 b. (1) No moneys in the Meadowlands Conservation Trust Fund
26 shall be utilized for the development of any land for any purpose or for
27 the acquisition of land that will not remain in a natural or largely
28 natural or undeveloped state, except that up to 5% of the moneys
29 annually received and deposited into the trust fund may be utilized to
30 pay for development of sites to allow for public access and
31 environmental education and interpretation and for the development
32 of trails, and up to 2% of the moneys annually received and deposited
33 into the trust fund may be utilized to pay for promotional and program
34 awareness efforts.

35 (2) No moneys in the trust fund shall be utilized to pay or
36 discharge the principal of or interest on any indebtedness incurred for
37 any purpose by the trust or any other governmental entity.

38 c. Notwithstanding any law, rule, or regulation to the contrary, any
39 proceeds returned to the trust or the State from the conveyance of
40 lands acquired by the trust with moneys from the "Meadowlands
41 Conservation Trust Fund" or from other sources shall be redeposited
42 therein and become part of the trust fund to be used only for the
43 purposes of the trust.

44

45 7. The trustees may request, and upon such request shall receive,
46 from the Attorney General of the State of New Jersey, all legal counsel

1 and services necessary to further the purposes of the trust.

2

3 8. The trust shall report annually to the Governor and the
4 Legislature of the State of New Jersey as to its activities during the
5 preceding year, together with any recommendations or requests the
6 trustees deem appropriate to further the purposes of the trust.

7

8 9. The Director of the Division of Motor Vehicles in the
9 Department of Transportation shall, upon proper application therefor,
10 issue Meadowlands conservation license plates for any motor vehicle
11 owned or leased and registered in the State. In addition to the
12 registration number and other markings or identification otherwise
13 prescribed by law, a Meadowlands conservation license plate shall
14 display words or a slogan and an emblem indicating support for, or an
15 interest in, conservation of the Hackensack meadowlands and the
16 Hackensack river watershed. The words or slogan and emblem shall
17 be chosen by the director; however, the director shall solicit, in
18 conjunction with the Legislature, input on the design of the plate from
19 the general public and from the board of trustees of the Meadowlands
20 Conservation Trust created pursuant to section 4 of P.L. , c. (C.)
21 (now before the Legislature as this bill), and shall review the
22 submissions prior to choosing the design. Issuance of Meadowlands
23 conservation license plates in accordance with this section shall be
24 subject to the provisions of chapter 3 of Title 39 of the Revised
25 Statutes, except as hereinafter otherwise specifically provided.

26

27 10. a. Application for issuance of a Meadowlands conservation
28 license plate shall be made to the Division of Motor Vehicles on forms
29 and in a manner as may be prescribed by the director. In order to be
30 deemed complete, an application shall be accompanied by a fee of \$50
31 payable to the Division of Motor Vehicles, which fee shall be in
32 addition to all fees otherwise required by law for the registration of the
33 motor vehicle.

34 b. The annual fee for the registration certificate of a motor vehicle
35 that has been issued a Meadowlands conservation license plate
36 pursuant to the provisions of sections 9 through 14 of P.L. , c.
37 (C.) (now before the Legislature as this bill) shall include in each
38 year subsequent to the year of issuance a fee in the amount of \$10,
39 which fee shall be in addition to all fees otherwise required by law for
40 the renewal of the registration of the motor vehicle and shall be
41 collected by the Division of Motor Vehicles and remitted to the
42 Meadowlands Conservation Trust created pursuant to section 3 of
43 P.L. , c. (C.) (now before the Legislature as this bill) for deposit
44 in the Meadowlands Conservation Trust Fund created pursuant to
45 section 6 of P.L. , c. (C.) (now before the Legislature as this bill).

1 11. There shall be deposited in the Meadowlands Conservation
2 Trust Fund created pursuant to section 6 of P.L. , c. (C.) (now
3 before the Legislature as this bill) the amount collected from all license
4 plate fees collected pursuant to section 10 of P.L. , c. (C.) (now
5 before the Legislature as this bill), less the amounts necessary to
6 reimburse the Division of Motor Vehicles for all costs authorized
7 pursuant to section 12 of P.L. , c. (C.) (now before the Legislature
8 as this bill).

9
10 12. a. Prior to the deposit of license plate fees collected pursuant
11 to section 10 of P.L. , c. (C.) (now before the Legislature as this
12 bill) into the Meadowlands Conservation Trust Fund created pursuant
13 to section 6 of P.L. , c. (C.) (now before the Legislature as this
14 bill), amounts thereof as are necessary shall be used to reimburse the
15 Division of Motor Vehicles for all costs reasonably and actually
16 incurred, as stipulated by the director, for:

17 (1) producing, issuing, renewing, and publicizing the availability of
18 Meadowlands conservation license plates; and

19 (2) any initial computer programming changes that may be
20 necessary to implement the Meadowlands conservation license plate
21 program established pursuant to sections 9 through 14 of P.L. ,
22 c. (C.) (now before the Legislature as this bill).

23 b. The Director of the Division of Motor Vehicles shall annually
24 certify to the board of trustees of the Meadowlands Conservation
25 Trust created pursuant to section 4 of P.L. , c. (C.) (now before
26 the Legislature as this bill) the average cost per license plate incurred
27 in the immediately preceding year by the Division of Motor Vehicles
28 in producing, issuing, renewing, and publicizing the availability of
29 Meadowlands conservation license plates. The annual certification of
30 the average cost per license plate shall be approved by the Joint
31 Budget Oversight Committee or its successor.

32 c. In the event that the average cost per license plate as certified by
33 the director and approved by the Joint Budget Oversight Committee,
34 or its successor, is greater than the \$50 application fee established in
35 subsection a. of section 10 of P.L. , c. (C.) (now before the
36 Legislature as this bill) in two consecutive fiscal years, the director
37 may discontinue the issuance of Meadowlands conservation license
38 plates.

39
40 13. The Director of the Division of Motor Vehicles shall notify
41 eligible motorists of the opportunity to obtain Meadowlands
42 conservation license plates by including a notice with all motor vehicle
43 registration renewals, and by posting appropriate posters or signs in
44 all facilities and offices of the Division of Motor Vehicles. The
45 notices, posters, and signs shall be designed by the board of trustees
46 of the Meadowlands Conservation Trust created pursuant to section

1 4 of P.L. , c. (C.) (now before the Legislature as this bill). The
2 designs shall be subject to the approval of the director, and the board
3 of trustees of the Meadowlands Conservation Trust shall supply the
4 Division of Motor Vehicles with the notices, posters, and signs to be
5 circulated or posted by that division.

6
7 14. The board of trustees of the Meadowlands Conservation Trust
8 created pursuant to section 4 of P.L. , c. (C.) (now before the
9 Legislature as this bill), the Director of the Division of Motor
10 Vehicles, and the State Treasurer shall develop and enter into an
11 interagency memorandum of agreement setting forth the procedures
12 to be followed by those parties in carrying out their respective
13 responsibilities under sections 9 through 14 of P.L. , c. (C.) (now
14 before the Legislature as this bill).

15
16 15. Notwithstanding any law, rule, or regulation to the contrary,
17 real property acquired by the Meadowlands Conservation Trust
18 created pursuant to P.L. , c. (C.) (now before the Legislature as
19 this bill) pursuant to purchase, conveyance, bequest, exchange,
20 donation, acceptance, or otherwise shall become exempt from taxation
21 and the payment of any in lieu of tax obligation as of the date of
22 acquisition by the trust. If, at the time of acquisition by the trust, the
23 prior owner has paid the taxes or any in lieu of tax obligation for the
24 current tax year in full or for a period beyond the date of acquisition
25 by the trust, the prior owner shall be entitled to a prorated refund from
26 the taxing authority of the taxes or in lieu of tax obligations paid by
27 the prior owner for the remaining portion of the tax year beyond the
28 date of acquisition by the trust. If insufficient or no taxes, or
29 insufficient or no in lieu of tax obligations, shall have been paid by the
30 prior owner for the portion of the tax year prior to acquisition by the
31 trust, the prior owner shall pay the amount due for that period to the
32 appropriate taxing authority.

33
34 16. Sections 1 through 8 and section 15 of this act shall take effect
35 immediately and sections 9 through 14 of this act shall take effect on
36 the 180th day after the date of enactment, but the State Treasurer, the
37 Director of the Division of Motor Vehicles, and the board of trustees
38 of the Meadowlands Conservation Trust, created pursuant to section
39 4 of this act, may take such anticipatory acts in advance of the 180th
40 day after the date of enactment as may be necessary for the timely
41 implementation of sections 9 through 14 of this act upon the effective
42 date thereof.

1 STATEMENT

2

3 This bill would create the Meadowlands Conservation Trust in but not
4 of the Hackensack Meadowlands Development Commission. The
5 purposes of the trust would be to acquire and hold, or acquire and
6 convey to other governmental entities or to qualified nonprofit
7 organizations, environmentally important, valuable, or sensitive lands
8 located in the Hackensack meadowlands or within the Hackensack
9 river watershed, which lands would be permanently preserved and
10 managed in their natural state or in a largely natural or undeveloped
11 state for the purposes of conserving and enhancing natural resources,
12 protecting elements of natural diversity, providing open space, or
13 providing public outdoor passive recreational opportunities. Any
14 lands acquired by the trust would become exempt from taxation and
15 the payment of any in lieu of tax obligation upon the date of
16 acquisition.

17 The trust would be administered by a seven-member board of
18 trustees comprising: four private citizens appointed by the Governor,
19 with the advice and consent of the Senate; the Commissioner of
20 Community Affairs; the executive director of the Hackensack
21 Meadowlands Development Commission; and a mayor, or elected chief
22 executive of a municipality, appointed by, and who would serve at the
23 pleasure of, the Hackensack Meadowlands Municipal Committee.

24 The trust would be empowered to, among other things:

25 (1) plan and implement strategies to maximize land acquisition and
26 preservation and environmental enhancement in the Hackensack
27 meadowlands and the Hackensack river watershed in keeping with the
28 purposes of the trust;

29 (2) acquire and hold, or acquire and convey to other governmental
30 entities, including but not limited to the New Jersey Natural Lands
31 Trust, or to qualified nonprofit organizations, environmentally
32 important, valuable, or sensitive lands located in the Hackensack
33 meadowlands or within the Hackensack river watershed; and preserve
34 and manage those lands in their natural state or in a largely natural or
35 undeveloped state for the purposes of conserving and enhancing
36 natural resources, including but not limited to wetlands mitigation sites
37 and banks, and protecting elements of natural diversity, providing open
38 space, or providing public outdoor passive recreational opportunities;

39 (3) establish a special working relationship with the Hackensack
40 Meadowlands Development Commission and the Hackensack
41 Meadowlands Municipal Committee in furthering the purposes of the
42 trust;

43 (4) apply for and accept grants and other aid; solicit and accept
44 gifts, donations, legacies, bequests, and endowments; and solicit and
45 accept rents or royalties, all to be used for the purposes of the trust;

46 (5) if deemed useful, authorize establishment by appropriate

1 persons or organizations of a tax-exempt nonprofit organization or
2 organizations for the purposes of assisting the trust; and

3 (6) establish incentive programs to encourage landowners within
4 the Hackensack meadowlands or the Hackensack river watershed to
5 (a) convey land to the trust or to other public or private entities
6 seeking to preserve land in keeping with the purposes of the trust, or
7 (b) manage their lands in keeping with the purposes of the trust.

8 The bill would also establish the "Meadowlands Conservation Trust
9 Fund." The trust fund would be the depository for all moneys: (1)
10 received as a grant or other form of aid by the trust or by the State and
11 designated for the trust; (2) given, donated, bequeathed, or endowed
12 to the trust from public or private sources; (3) received as rent or as
13 a royalty by the trust or by the State on behalf of the trust; (4)
14 received as net revenues from the Division of Motor Vehicles in the
15 Department of Transportation in connection with the issuance of
16 Meadowlands conservation license plates as authorized by the bill; and
17 (5) appropriated or otherwise made available to the trust by the State.
18 The moneys in the trust fund would be specifically dedicated to be
19 used only for the purposes of the trust. No moneys in the trust fund
20 could be utilized for the development of any land for any purpose or
21 for the acquisition of land that will not remain in a natural or largely
22 natural or undeveloped state, except that up to 5% of the moneys
23 annually received and deposited into the trust fund could be used to
24 pay for development of sites to allow for public access and
25 environmental education and interpretation and for the development
26 of trails, and up to 2% of the moneys annually received and deposited
27 into the trust fund could be used to pay for promotional and program
28 awareness efforts. No moneys in the trust fund could be used to pay
29 or discharge the principal of or interest on any indebtedness incurred
30 for any purpose by the trust or any other governmental entity.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 1498

STATE OF NEW JERSEY

DATED: DECEMBER 10, 1998

The Senate Environment Committee favorably reports Senate Bill No. 1498.

This bill would create the Meadowlands Conservation Trust in but not of the Hackensack Meadowlands Development Commission. The purposes of the trust would be to acquire and hold, or acquire and convey to other governmental entities or to qualified nonprofit organizations, environmentally important, valuable, or sensitive lands located in the Hackensack meadowlands or within the Hackensack river watershed, which lands would be permanently preserved and managed in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing natural resources, protecting elements of natural diversity, providing open space, or providing public outdoor passive recreational opportunities. Any lands acquired by the trust would become exempt from taxation and the payment of any in lieu of tax obligation upon the date of acquisition.

The trust would be administered by a seven-member board of trustees comprising: four private citizens appointed by the Governor, with the advice and consent of the Senate; the Commissioner of Community Affairs; the executive director of the Hackensack Meadowlands Development Commission; and a mayor, or elected chief executive of a municipality, appointed by, and who would serve at the pleasure of, the Hackensack Meadowlands Municipal Committee.

The trust would be empowered to, among other things:

(1) plan and implement strategies to maximize land acquisition and preservation and environmental enhancement in the Hackensack meadowlands and the Hackensack river watershed in keeping with the purposes of the trust;

(2) acquire and hold, or acquire and convey to other governmental entities, including but not limited to the New Jersey Natural Lands Trust, or to qualified nonprofit organizations, environmentally important, valuable, or sensitive lands located in the Hackensack meadowlands or within the Hackensack river watershed; and preserve and manage those lands in their natural state or in a largely natural or undeveloped state for the purposes of conserving and enhancing

natural resources, including but not limited to wetlands mitigation sites and banks, and protecting elements of natural diversity, providing open space, or providing public outdoor passive recreational opportunities;

(3) establish a special working relationship with the Hackensack Meadowlands Development Commission and the Hackensack Meadowlands Municipal Committee in furthering the purposes of the trust;

(4) apply for and accept grants and other aid; solicit and accept gifts, donations, legacies, bequests, and endowments; and solicit and accept rents or royalties, all to be used for the purposes of the trust;

(5) if deemed useful, authorize establishment by appropriate persons or organizations of a tax-exempt nonprofit organization or organizations for the purposes of assisting the trust; and

(6) establish incentive programs to encourage landowners within the Hackensack meadowlands or the Hackensack river watershed to
 (a) convey land to the trust or to other public or private entities seeking to preserve land in keeping with the purposes of the trust, or
 (b) manage their lands in keeping with the purposes of the trust.

The bill would also establish the "Meadowlands Conservation Trust Fund." The trust fund would be the depository for all moneys: (1) received as a grant or other form of aid by the trust or by the State and designated for the trust; (2) given, donated, bequeathed, or endowed to the trust from public or private sources; (3) received as rent or as a royalty by the trust or by the State on behalf of the trust; (4) received as net revenues from the Division of Motor Vehicles in the Department of Transportation in connection with the issuance of Meadowlands conservation license plates as authorized by the bill; and (5) appropriated or otherwise made available to the trust by the State. The moneys in the trust fund would be specifically dedicated to be used only for the purposes of the trust. No moneys in the trust fund could be utilized for the development of any land for any purpose or for the acquisition of land that will not remain in a natural or largely natural or undeveloped state, except that up to 5% of the moneys annually received and deposited into the trust fund could be used to pay for development of sites to allow for public access and environmental education and interpretation and for the development of trails, and up to 2% of the moneys annually received and deposited into the trust fund could be used to pay for promotional and program awareness efforts. No moneys in the trust fund could be used to pay or discharge the principal of or interest on any indebtedness incurred for any purpose by the trust or any other governmental entity.

This bill is identical to Assembly Bill No. 1435.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Gene Herman
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RELEASE: March 2, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

A-1435, sponsored by Assembly Members Paul DiGaetano (R-Bergen/Essex/Passaic) and Guy F. Talarico (R-Bergen) and Senators Henry P. McNamara (R-Bergen/Passaic) and Andrew R. Ciesla (R-Monmouth/Ocean), creates the Meadowlands Conservation Trust and creates a Meadowlands conservation license plate to raise revenue to support the Trust. The purpose of the Trust will be to acquire and hold, or acquire and convey to other government entities or to qualified nonprofit organizations, environmentally important, valuable or sensitive lands located in the Hackensack Meadowlands or within the Hackensack River watershed. The lands will be permanently preserved. The bill also establishes the Meadowlands Conservation Trust Fund, a depository for monies: (1) received as a grant by the Trust; (2) donated to the Trust; (3) received as a rent or as a royalty; (4) received as net revenues from the Division of Motor Vehicles (DMV) in connection with the issuance of Meadowlands Conservation license plates as authorized by the bill; and (5) appropriated by the State to the Trust. The Trust's board of trustees shall be comprised of seven voting members, of whom four shall be private citizens appointed by the Governor, with the advice and consent of the Senate.

A-1819, sponsored by Assembly Members Nicholas Asselta (R-Cape May/Atlantic/Cumberland) and Jack Collins (R-Salem/Cumberland/Gloucester), directs the Director of the Division of Purchase and Property to review and modify all bid and product specifications relating to the purchase of agricultural commodities by state and local government entities in order to encourage the maximum purchase of New Jersey agricultural commodities. The bill is intended to assist farmers in selling their products through state contracts.