

13: 1B - 15.119 to 15.127

LEGISLATIVE FACT SHEET

on *est. of a NATURAL LANDS TRUST*

N.J.R.S. 13:1B - 15.119 to 15.127

(Amendment)

LAWS OF 1968

CHAPTER 425 *Jan. 23, 1969*

SENATE BILL

ASSEMBLY BILL 880 [ocr]

INTRODUCED *June 10, 1968*

BY *Margetts and others*

SPONSOR'S STATEMENT

YES NO

ASSEMBLY COMMITTEE STATEMENT

YES NO

SENATE COMMITTEE STATEMENT

YES NO

FISCAL NOTE

YES NO

AMENDED DURING PASSAGE

YES NO

HEARING *None discovered*

GOVERNOR'S STATEMENT ON SIGNING YES *See other side.*

VETO

ADDITIONAL INFORMATION:

See

*974.90 New Jersey. Natural Lands Trust.
R288 Gift of Land.
1975*

SPONSOR'S STATEMENT to A880

This bill establishes a State agency in the Division of Parks, Forestry and Recreation to be known as the "Natural Lands Trust." The agency will be authorized to acquire and hold lands significant as natural areas and to preserve and administer such properties for the benefit and enjoyment of all citizens of New Jersey. It is anticipated that the agency will co-ordinate its activities with other governmental agencies and private organizations also engaged in administering natural areas programs.

~~Gov St on Signing - yes~~

JA/PC
11/7/75

STATEMENT OF GOVERNOR RICHARD J. HUGHES

ON THE OCCASION OF THE SIGNING OF A-880

With this legislation, New Jersey takes another significant step forward in the effort to salvage in a State that is 82 per cent urban a few acres of trees, open spaces and quiet. A-880 makes it possible for private persons to place in trust for the State lands and money for the purposes of increasing and preserving the natural resources available to our citizens.

A distinguished board of trustees composed of conservationists and other citizens concerned with preserving our natural heritage will insure that the trust is managed in the best interests of the people of New Jersey. The lands would be managed by the trust in the public interest, but if the State then wishes to expand its own holdings in parks and wooded areas, it may, in effect, draw on this land bank to meet its needs.

This will allow New Jersey's citizens to donate land to the State at a point in time that is convenient to them while preserving the flexibility of the State not to assume any additional burdens until we are prepared to do so.

ASSEMBLY, No. 880

STATE OF NEW JERSEY

INTRODUCED JUNE 10, 1968

By Assemblywoman MARGETTS, Assemblymen COLEMAN, RINALDI, SCHLUTER and SELECKY

(Without Reference)

AN ACT creating and establishing in the Division of Parks, Forestry and Recreation a Natural Lands Trust, prescribing its functions, powers and duties, and making an appropriation.

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

1 1. There is hereby created and established in the Division of
2 Parks, Forestry and Recreation of the Department of Conservation
3 and Economic Development, a body corporate and politic with cor-
4 porate succession, to be known as the New Jersey Natural Lands
5 Trust. The trust is hereby constituted an instrumentality exer-
6 cising public and essential government functions and the exercise
7 by the trust of the powers conferred by this act shall be deemed
8 and held to be an essential government function of the State.

1 2. The powers and duties of the trust shall vest in and be exer-
2 cised by a board of 11 trustees comprised initially of the 6 mem-
3 bers of the Natural Areas Council, who shall serve for terms co-
4 extensive with their respective terms on the council, and shall be
5 succeeded by trustees appointed by the Governor from a list of
6 candidates nominated by a nominating committee provided by a
7 group of nonprofit New Jersey corporations having open space
8 preservation or environmental education as their corporate pur-
9 pose, such as North Jersey Conservation Foundation, New Jersey
10 Audubon Society, Rutgers, the State University, New Jersey Fed-
11 eration of Women's Clubs, Conservation and Garden Department,
12 New Jersey Federation of Garden Clubs, and Watershed Associ-
13 ations incorporated in the State of New Jersey. Organizations
14 must apply to the trustees in order to provide one member to the
15 nominating committee. The trustees thus appointed will serve for
16 3-year terms, each of whom will continue to serve until succeeded.

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

17 The trustees may select other organizations if for some reason one
18 or more of the above-named groups become nonfunctional. The
19 remaining trustees shall be: a member of the State House Com-
20 mission designated by the Governor, and by virtue of their offices,
21 the State Treasurer, the Commissioner of the Department of Con-
22 servation and Economic Development, the Chairman of the Parks,
23 Forestry and Recreation Council, and the Chief of the Natural
24 Areas Section.

25 The Chairman of the Board of Trustees of the Natural Lands
26 Trust shall be elected by the trustees.

27 The concurrence of 7 members of the board shall be necessary
28 to the validity of all acts of the board. At least one member of
29 this majority must be an official of the State Government repre-
30 sented on the board.

1 3. The trustees shall serve without compensation.

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

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

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

6 (c) To adopt by-laws for the regulation of its affairs and the
7 conduct of its business;

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

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

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

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

30 (h) To make, enter into and perform all contracts and agree-
31 ments necessary or incidental to the performance of its duties and

32 the execution of its powers under this act;

33 *[(i)] To approve all land use changes in areas designated as
34 natural areas by the trustees;

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

37 *[(k)]* *(j)** To hold and use all lands in said trust for educa-
38 tional and research purposes.

1 5. The trust shall have power in particular:

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

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

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

17 (d) To co-operate with and assist, insofar as practicable, any
18 agency of the State or any of its political subdivisions, and any
19 private agency or person in furtherance of the purposes of the
20 trust;

21 (e) To give any moneys or property held by the trust to the
22 Commissioner of the Department of Conservation and Economic
23 Development on behalf of the State, for the purpose of adminis-
24 tering, operating or maintaining the natural areas programs of
25 the State of New Jersey.

1 6. The trust shall report annually to the Governor and the Leg-
2 islature of the State of New Jersey as to their activities during
3 the preceding year, together with any recommendations or re-
4 quests the trustees deem appropriate to further the purposes of
5 the trust.

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

1 8. The trustees may request, and upon such request shall receive
2 from the Attorney General of the State of New Jersey, all legal
3 counsel and services necessary to carry out the purposes of the
4 trust.

1 9. If any section or sections of this act or any provision thereof
2 shall be declared to be unconstitutional, invalid or inoperative in
3 whole or in part, such section or provision shall, to the extent that
4 it is not unconstitutional, invalid or inoperative be enforced and
5 effectuated and no such determination shall be deemed to inval-
6 idate or make ineffectual the remaining provisions of the sections
7 of this act.

1 10. There is appropriated to the Department of Conservation
2 and Economic Development for the purposes of this act such sums
3 as shall be included in any general or special appropriation act.

1 11. This act shall take effect immediately.

ASSEMBLY, No. 880

STATE OF NEW JERSEY

INTRODUCED JUNE 10, 1968

By Assemblywoman MARGETTS, Assemblymen COLEMAN, RINALDI, SCHLUTER and SELECKY

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2 cised by a board of 11 trustees comprised initially of the 6 mem-
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4 extensive with their respective terms on the council, and shall be
5 succeeded by trustees appointed by the Governor from a list of
6 candidates nominated by a nominating committee provided by a
7 group of nonprofit New Jersey corporations having open space
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9 pose, such as North Jersey Conservation Foundation, New Jersey
10 Audubon Society, Rutgers, the State University, New Jersey Fed-
11 eration of Women's Clubs, Conservation and Garden Department,
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13 ations incorporated in the State of New Jersey. Organizations
14 must apply to the trustees in order to provide one member to the
15 nominating committee. The trustees thus appointed will serve for
16 3-year terms, each of whom will continue to serve until succeeded.
17 The trustees may select other organizations if for some reason one
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19 remaining trustees shall be: a member of the State House Com-
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9 within the State as it may designate;

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11 the trust, in addition to a secretary and a treasurer, as
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15 officers, employees and agents all without regard to the provision
16 of Title 11, Civil Service, of the Revised Statutes;

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

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

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31 ments necessary or incidental to the performance of its duties and
32 the execution of its powers under this act;

33 (i) To approve all land use changes in areas designated as
34 natural areas by the trustees;

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STATEMENT

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SENATE AMENDMENTS TO
ASSEMBLY, No. 880

STATE OF NEW JERSEY

ADOPTED NOVEMBER 18, 1968

Amend page 3, section 4, lines 33-34, delete in their entirety.

Amend page 3, section 4, line 35, omit "(j)", insert "(i)".

Amend page 3, section 4, line 37, omit "(k)", insert "(j)".