

4:1C-37.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2009 **CHAPTER:** 147

NJSA: 4:1C-37.1 (Authorizes counties and municipalities to acquire real property, and to resell or lease it with agricultural deed restrictions attached, for farmland preservation purposes)

BILL NO: S1816 (Substituted for A828)

SPONSOR(S) Lesniak and Others

DATE INTRODUCED: May 15, 2008

COMMITTEE: **ASSEMBLY:** ---

SENATE: Economic Growth

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 25, 2009

SENATE: November 24, 2008

DATE OF APPROVAL: November 20, 2009

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Original version of bill enacted)

S1816

SPONSOR'S STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A828

SPONSOR'S STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

P.L. 2009, CHAPTER 147, *approved November 20, 2009*

Senate, No. 1816

1 AN ACT concerning the acquisition, and resale or lease, of real
2 property by counties and municipalities for farmland
3 preservation purposes, amending P.L.1971, c.199, and
4 supplementing P.L.1983, c.32.

5

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

8

9 1. Section 4 of P.L.1971, c.199 (C.40A:12-4) is amended to read
10 as follows:

11 4. Any county or municipality may acquire:

12 (a) Any real property, capital improvement, personal property or
13 any interest or estate whatsoever therein, including easements,
14 water, water power, or water rights, either within or without the
15 county or municipality, except that no such property belonging to
16 the State or any of its agencies, a county or any municipality shall
17 be acquired without its express consent **[, or]**;

18 (b) Any outstanding easement, right or interest in any real
19 property, capital improvement or personal property previously
20 acquired by the county or municipality which the governing body
21 shall determine to be necessary or useful for the proper exercise of
22 any power conferred or duty imposed upon the county or
23 municipality by this or any other law; but this section shall not
24 operate, or be construed, to repeal or supersede any law requiring
25 the consent of any other county or municipality, or any State
26 authority, department, agency or commission for the acquisition of
27 any such property; or

28 (c) Any real property for the purpose of farmland preservation,
29 which property may be resold or leased by the county or
30 municipality with an agricultural deed restriction placed on the
31 property by the county or municipality.

32 (cf: P.L.1971, c.199, s.4)

33

34 2. (New section) A county, county agriculture development
35 board, or municipality may acquire real property in fee simple for
36 farmland preservation purposes, which property may be resold or
37 leased by the county, county agriculture development board, or
38 municipality with an agricultural deed restriction placed on the
39 property by the county, county agriculture development board, or
40 municipality.

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

Matter underlined thus is new matter.

1 3. This act shall take effect immediately.

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STATEMENT

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6 This bill would authorize a county (including, but not limited to,
7 a county agriculture development board) or municipality to acquire
8 real property in fee simple for farmland preservation purposes,
9 which property may be resold or leased out by the county or
10 municipality with an agricultural deed restriction placed on the
11 property by the county or municipality.

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16 Authorizes counties and municipalities to acquire real property,
17 and to resell or lease it with agricultural deed restrictions attached,
18 for farmland preservation purposes.

SENATE, No. 1816

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED MAY 15, 2008

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator PHILIP E. HAINES

District 8 (Burlington)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblywoman MARCIA A. KARROW

District 23 (Warren and Hunterdon)

SYNOPSIS

Authorizes counties and municipalities to acquire real property, and to resell or lease it with agricultural deed restrictions attached, for farmland preservation purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/26/2009)

S1816 LESNIAK, HAINES

2

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2 property by counties and municipalities for farmland
3 preservation purposes, amending P.L.1971, c.199, and
4 supplementing P.L.1983, c.32.

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7 of New Jersey:

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11 4. Any county or municipality may acquire:

12 (a) Any real property, capital improvement, personal property or
13 any interest or estate whatsoever therein, including easements,
14 water, water power, or water rights, either within or without the
15 county or municipality, except that no such property belonging to
16 the State or any of its agencies, a county or any municipality shall
17 be acquired without its express consent **[, or]**;

18 (b) Any outstanding easement, right or interest in any real
19 property, capital improvement or personal property previously
20 acquired by the county or municipality which the governing body
21 shall determine to be necessary or useful for the proper exercise of
22 any power conferred or duty imposed upon the county or
23 municipality by this or any other law; but this section shall not
24 operate, or be construed, to repeal or supersede any law requiring
25 the consent of any other county or municipality, or any State
26 authority, department, agency or commission for the acquisition of
27 any such property; or

28 (c) Any real property for the purpose of farmland preservation,
29 which property may be resold or leased by the county or
30 municipality with an agricultural deed restriction placed on the
31 property by the county or municipality.

32 (cf: P.L.1971, c.199, s.4)

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34 2. (New section) A county, county agriculture development
35 board, or municipality may acquire real property in fee simple for
36 farmland preservation purposes, which property may be resold or
37 leased by the county, county agriculture development board, or
38 municipality with an agricultural deed restriction placed on the
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40 municipality.

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42 3. This act shall take effect immediately.

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STATEMENT

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This bill would authorize a county (including, but not limited to, a county agriculture development board) or municipality to acquire real property in fee simple for farmland preservation purposes, which property may be resold or leased out by the county or municipality with an agricultural deed restriction placed on the property by the county or municipality.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 1816

STATE OF NEW JERSEY

DATED: OCTOBER 23, 2008

The Senate Economic Growth Committee reports favorably Senate Bill No. 1816.

This bill would authorize a county (including, but not limited to, a county agriculture development board) or municipality to acquire real property in fee simple for farmland preservation purposes, which property may be resold or leased out by the county or municipality with an agricultural deed restriction placed on the property by the county or municipality.

ASSEMBLY, No. 828

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblywoman MARCIA A. KARROW

District 23 (Warren and Hunterdon)

SYNOPSIS

Authorizes counties and municipalities to acquire real property, and to resell or lease it with agricultural deed restrictions attached, for farmland preservation purposes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 6/13/2008)

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2 property by counties and municipalities for farmland
3 preservation purposes, amending P.L.1971, c.199, and
4 supplementing P.L.1983, c.32.

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

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25 the consent of any other county or municipality, or any State
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ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 828

STATE OF NEW JERSEY

DATED: JUNE 12, 2008

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 828.

This bill would authorize a county (including, but not limited to, a county agriculture development board) or municipality to acquire real property in fee simple for farmland preservation purposes, which property may be resold or leased out by the county or municipality with an agricultural deed restriction placed on the property by the county or municipality.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.