

32:14-1.1

LEGISLATIVE HISTORY CHECKLIST
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(Palisades Interstate Park)

NJSA: 32:14-1.1

LAWS OF: 1995 CHAPTER: 274

BILL NO: A623

SPONSOR(S): Ogden & Haytaian

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Environment & Energy

SENATE: Environment

AMENDED DURING PASSAGE: Yes

ACS -- Third reprint enacted

DATE OF PASSAGE: ASSEMBLY: April 25, 1995 Re-enacted 11-9-95

SENATE: May 11, 1995 Re-enacted 12-7-95

DATE OF APPROVAL: December 14, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: Yes

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

Handwritten notes: "DRAFT OF" and "NOV 11 1995" written vertically.

[THIRD REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 623

STATE OF NEW JERSEY

ADOPTED MARCH 15, 1994

Sponsored by Assemblywoman OGDEN,
Assemblymen HAYTAIAN, Felice, Impreveduto, McEnroe,
Rooney, Russo, Assemblywomen Vandervalk, Weinberg,
Assemblyman Albohn, Assemblywomen Heck, Murphy
and Assemblyman Roma

1 AN ACT concerning Palisades Interstate Park and the Palisades
2 Interstate Park Commission, amending various sections of
3 chapter 14 of Title 32 of the Revised Statutes, ²[and]²
4 amending P.L.1980, c.104 ², and repealing R.S.32:14-8 through
5 R.S.32:14-12² .
6

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

9 1. Section 1 of P.L.1980, c.104 (C.32:14-1.1) is amended to
10 read as follows:

11 1. The Legislature finds and declares that the Palisades
12 Interstate Park constitutes a natural and historic resource of
13 immeasurable value; that concern for the preservation of this
14 resource resulted in the enactment, in 1937, of an interstate
15 compact between New Jersey and New York; that this compact
16 established the Palisades Interstate Park Commission as a
17 separate agency charged with the responsibility of maintaining
18 this interstate park; that the separation of this commission from
19 all other agencies of State government has tended to impede,
20 rather than facilitate, the discharging of this responsibility; that
21 from time to time it may benefit the State of New Jersey to
22 utilize the Palisades Interstate Park Commission as the
23 administering agency for parkland that may be acquired in
24 ¹[northern New Jersey] the Highlands or Skylands areas of
25 Bergen, Hunterdon, Morris, Passaic, Somerset ²[, Sussex,]² and
26 Warren counties in the State of New Jersey, including lands in
27 those areas lying within the North Jersey Water Supply District¹ ;
28 and that, in order to insure the realization of the purpose of the
29 interstate compact, it is necessary to alter the powers, functions
30 and duties of the ¹[commission] Palisades Interstate Park
31 Commission¹ , all as hereinafter provided.

32 (cf: P.L.1980, c.104, s.1)

33 2. R.S.32:14-5 is amended to read as follows:

34 32:14-5. ^{2a,2} Palisades Interstate Park Commission shall,
35 from time to time, select and locate such lands lying between the
36 top or steep edge of the Palisades or the crest of the slope in
37 places where the steep Palisade rocks are absent and the
38 high-water line of the Hudson river, from the New York State

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted April 25, 1994.

² Senate SEN committee amendments adopted March 13, 1995.

³ Assembly amendments adopted in accordance with Governor's
recommendations September 18, 1995.

1 line on the north, to a line beginning at the intersection of the
 2 southern line of the old Fort Lee dock or landing with the
 3 high-water line of the Hudson river and running thence in a
 4 westerly direction and at right angles to said high-water line of
 5 the Hudson river to the east side of the river road running from
 6 Edgewater to Fort Lee, in Bergen county, on the south, and such
 7 lands or rights in lands belonging to persons other than the State,
 8 as may lie between the exterior bulkhead line established in the
 9 Hudson river and the high-water line of the Hudson river, as may,
 10 in the opinion of the ²[commission] Palisades Interstate Park
 11 Commission², be proper and necessary to be reserved for the
 12 purpose of establishing a park and thereby preserving the scenic
 13 beauty of the Palisades.

14 ²b.² The ¹[commission,] Palisades Interstate Park Commission,
 15 in cooperation with the North Jersey District Water Supply
 16 Commission and¹ in consultation with the New Jersey
 17 Department of Environmental Protection, may, from time to
 18 time, select and locate such lands lying within the Highlands or
 19 Skylands areas of Bergen, Hunterdon, Morris, Passaic, Somerset
 20 ²[, Sussex,]² and Warren counties in the State of New Jersey ¹,
 21 including lands in those areas lying within the North Jersey Water
 22 Supply District¹, as may, in the opinion of the ¹[commission]
 23 Palisades Interstate Park Commission and the North Jersey
 24 District Water Supply Commission,¹ in consultation with the
 25 department, be proper and necessary to be reserved for ¹[the
 26 purpose of]¹ establishing a park ¹[and thereby preserving] :

27 ²[a.] (1)² to preserve¹ the scenic beauty of those areas ¹[, or] ;
 28 ²[b.1] (2)² for ¹[other] the purposes of¹ recreation and
 29 conservation ¹[purposes,]¹ ², which shall include hunting and
 30 fishing,² or ¹historic preservation; or

31 ²[c.1] (3)² for the purposes of ¹watershed conservation or¹
 32 protecting, maintaining, or enhancing the quality and quantity of
 33 water supplies.

34 ²c. Except as authorized for the purposes specified by
 35 R.S.32:15-1 et seq. and R.S.32:16-1 et seq. with regard to the
 36 location, construction, maintenance, and operation of the Henry
 37 Hudson Drive and the Palisades Interstate Parkway in Bergen
 38 county, the Palisades Interstate Park Commission shall not
 39 acquire by condemnation any lands described in subsections a. and
 40 b. of this section. Any such lands shall be acquired by the
 41 Palisades Interstate Park Commission only through a sale by a
 42 willing seller.²

43 (cf: P.L.1939, c.191, s.5)

44 3. R.S.32:14-7 is amended to read as follows:

45 32:14-7. Palisades Interstate Park Commission shall have
 46 power to receive by gift, contribution or bequest, moneys, stocks,
 47 bonds, securities or other property, and own, hold, invest or
 48 otherwise use the same. The ¹[commission] Palisades Interstate
 49 Park Commission¹ shall have power to purchase or otherwise
 50 acquire personal property and to hold the same. The
 51 ¹[commission] Palisades Interstate Park Commission¹ shall have
 52 power to sell all personal property, supplies, chattels, material,
 53 profits a prendre and the right to surplus waters which ¹[it] the
 54 Palisades Interstate Park Commission¹ decides to be not

1 necessary or desirable for the uses and purposes of the park, and
2 to lease, charter, license or privilege the use, for park or other
3 purposes, of all personal property. ³[¹The North Jersey District
4 Water Supply Commission shall be the sole authority with regard
5 to identifying which waters are surplus, and no surplus waters or
6 rights thereto shall be sold, leased, or used without the approval
7 of the North Jersey District Water Supply Commission.¹] In
8 relation to lands acquired by the Palisades Interstate Park
9 Commission within the region served by the North Jersey District
10 Water Supply Commission, the North Jersey District Water
11 Supply Commission may determine which waters are surplus, and
12 no surplus waters or rights thereto shall be sold, leased, or used
13 without review and comment by the North Jersey District Water
14 Supply Commission. Nothing in this section shall be construed to
15 limit the authority of the Department of Environmental
16 Protection to manage water supplies pursuant to the "Water
17 Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.).³

18 The ¹[commission] Palisades Interstate Park Commission¹ may
19 seek, receive, and retain financial or other aid or assistance from
20 the federal government or any state, local, or other governmental
21 entity or authority, which aid or assistance may be used in the
22 ¹[commission's discretion in the]¹ State of New Jersey ¹, at the
23 discretion of the Palisades Interstate Park Commission in
24 cooperation with the North Jersey District Water Supply
25 Commission,¹ for any park purpose except as may be specifically
26 designated or restricted by law or by the terms of any such aid or
27 assistance.

28 (cf: P.L.1939, c.191, s.7)

29 ²[4. R.S.32:14-9 is amended to read as follows:

30 32:14-9. Before any proceedings shall be had or taken for
31 acquiring by condemnation the title to any of the lands selected
32 and located under [section 32:14-5 of this Title] R.S.32:14-5,
33 Palisades Interstate Park Commission ¹, in conjunction with the
34 North Jersey District Water Supply Commission,¹ shall cause to
35 be made, by such engineer and surveyor as ¹[it] they¹ shall select,
36 a map of the parcel or parcels of lands and rights in lands which
37 ¹[it] they¹ shall determine and ¹the Palisades Interstate Park
38 Commission shall¹ be about to take, showing the boundaries
39 thereof and of the individual pieces of land embraced therein,
40 ¹bodies of water, rivers, streams, and estuaries,¹ and the names
41 of the owners or reputed owners thereof, as nearly as the same
42 can be ascertained. A copy of such map, certified by a majority
43 of the members of the ¹[commission] Palisades Interstate Park
44 Commission¹ , shall be filed in the office of the clerk of the
45 county [of Bergen] in which the land lies.

46 (cf: P.L.1939, c.191, s.9)]²

47 ²[5. R.S.32:14-10 is amended to read as follows:

48 32:14-10. Within six months after the filing of a map as
49 required by [section 32:14-9 of this Title] R.S.32:14-9, Palisades
50 Interstate Park Commission shall publish for four successive
51 weeks, at least once in each week, in a newspaper printed and
52 published in the county [of Bergen] in which the land lies , a
53 notice declaring that the commission intends to take and
54 appropriate and pay for such of the lands or interests therein

1 shown on the map as are described in the notice, and acquire title
2 thereto and hold the same under the Palisades Interstate Park
3 Compact.

4 (cf: P.L.1939, c.191, s.10)²

5 ²4. R.S.32:14-6 is amended to read as follows:

6 32:14-6. Palisades Interstate Park Commission shall have
7 power to acquire, maintain and make available for use as part of
8 Palisades interstate park the lands located as [aforesaid]
9 described in R.S.32:14-5 , and, for such [purpose] purposes , shall
10 have power to [take] acquire in fee or otherwise, by purchase.
11 gift, or devise [or eminent domain] , but not by eminent domain ,
12 such lands or parts thereof, and any rights, interests and
13 easements therein. The commission shall also have power to
14 acquire by purchase, gift, or devise, but not by eminent domain,
15 for the purposes herein set forth, any lands on the top of the
16 Palisades or any rights, interests or easements therein. Deeds of
17 conveyance for the lands shall be made to the commission by its
18 corporate name.²

19 (cf: P.L.1939, c.191, s.6)

20 ²[6.] ²5. R.S.32:14-15 is amended to read as follows:

21 32:14-15. Palisades Interstate Park Commission shall, in laying
22 out and maintaining the portions of [said] the park in this State,
23 have regard for the laying out and maintenance of such portions
24 of the park as may be in the State of New York along the
25 Palisades and Hudson river. and shall, so far as may be, lay out
26 and maintain the appropriate portions of [said] the park in this
27 State in such manner that they, together with such appropriate
28 portions of the park as may be in the State of New York, shall
29 form a continuous park, one of the [intention] intentions of this
30 chapter being to provide, in conjunction with the State of New
31 York, for the establishment of a park along the entire front of
32 the Palisades, from Fort Lee in this State to the termination
33 thereof in New York, thereby preserving the scenic beauty of the
34 Palisades.

35 (cf: P.L.1939, c.191, s.16)

36 ²[7.] ²6. R.S.32:14-24 is amended to read as follows:

37 32:14-24. The police court may be held in any portion of the
38 Palisades Interstate Park lying within this State, or in any
39 municipality of the county [of Bergen] in which any part of the
40 park may lie.

41 (cf: P.L.1953, c.31, s.14)

42 ²7. R.S.32:14-8 through R.S.32:14-12 are repealed.²

43 8. This act shall take effect immediately.

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48 Expands authority and jurisdiction of Palisades Interstate Park
49 Commission in NJ.

1 be about to take, showing the boundaries thereof and of the
2 individual pieces of land embraced therein, and the names of the
3 owners or reputed owners thereof, as nearly as the same can be
4 ascertained. A copy of such map, certified by a majority of the
5 members of the commission, shall be filed in the office of the
6 clerk of the county [of Bergen] in which the land lies.

7 (cf: P.L.1939, c.191, s.9)

8 8. R.S.32:14-10 is amended to read as follows:

9 32:14-10. Notice of intention to condemn lands

10 Within six months after the filing of a map as required by
11 [section 32:14-9 of this Title] R.S.32:14-9 , Palisades Interstate
12 Park Commission shall publish for four successive weeks, at least
13 once in each week, in a newspaper printed and published in the
14 county [of Bergen] in which the land lies , a notice declaring that
15 the commission intends to take and appropriate and pay for such
16 of the lands or interests therein shown on the map as are
17 described in the notice, and acquire title thereto and hold the
18 same under the Palisades Interstate Park Compact.

19 (cf: P.L.1939, c.191, s.10)

20 9. R.S.32:14-15 is amended to read as follows:

21 32:14-15. Continuity of park with New York park

22 The Palisades Interstate Park Commission shall, in laying out
23 and maintaining the portions of [said] the park in this State, have
24 regard for the laying out and maintenance of such portions of the
25 park as may be in the State of New York along the Palisades and
26 Hudson river, and shall, so far as may be, lay out and maintain
27 the appropriate portions of [said] the park in this State in such
28 manner that they, together with such appropriate portions of the
29 park as may be in the State of New York, shall form a continuous
30 park, one of the [intention] intentions of this chapter being to
31 provide, in conjunction with the State of New York, for the
32 establishment of a park along the entire front of the Palisades,
33 from Fort Lee in this State to the termination thereof in New
34 York, thereby preserving the scenic beauty of the Palisades.

35 (cf: P.L.1939, c.191, s.16)

36 10. R.S.32:14-24 is amended to read as follows:

37 32:14-24. Places of holding court

38 The police court may be held in any portion of the Palisades
39 Interstate Park lying within this State, or in any municipality of
40 the county [of Bergen] in which any part of the park may lie.

41 (cf: P.L.1953, c.31, s.14)

42 11. Sections 4, 7, 8, 9, and 10 of this act shall take effect
43 immediately. Sections 1, 2, 3, 5, and 6 of this act shall take
44 effect upon the enactment into law by the State of New York of
45 legislation having an identical effect with those sections of this
46 act, but if the State of New York has already enacted such
47 legislation, sections 1, 2, 3, 5, and 6 of this act shall take effect
48 immediately.

49
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51 STATEMENT

52
53 This bill would make various amendments to the compact of
54 June 2, 1937 between the states of New Jersey and New York

1 concerning Palisades Interstate Park and the Palisades Interstate
2 Park Commission. It would also amend the implementing law in
3 New Jersey for that compact. Concurrence or enactment of
4 similar provisions by the State of New York to some of the
5 proposed amendments to the compact and implementing law
6 would be required.

7 These amendments would:

8 (1) clarify and expand the authority of the Palisades Interstate
9 Park Commission to acquire and manage park lands in northern
10 New Jersey and southern New York;

11 (2) provide that such lands could be acquired not only for the
12 usual park purposes but also for the purposes of protecting,
13 maintaining, and enhancing the quality and quantity of water
14 supplies;

15 (3) clarify that the Palisades Interstate Park Commission may
16 seek, receive, and retain financial or other aid or assistance from
17 the federal government or any state, local, or other governmental
18 entity or authority, which aid or assistance may be used in the
19 commission's discretion in either state for any park purpose
20 except as may be specifically designated or restricted by law or
21 by the terms of any such aid or assistance;

22 (4) provide that the Palisades Interstate Park Commission, in
23 consultation with the appropriate governmental agencies of the
24 State of New York as designated by that state, may, from time to
25 time, select and locate such lands lying within Rockland and
26 Orange counties in the State of New York, including the area
27 known as Sterling Forest, as may, in the opinion of the
28 commission in consultation with those agencies, be proper and
29 necessary to be reserved for the purpose of establishing a park
30 and thereby preserving the scenic beauty of those areas, or for
31 other recreation and conservation purposes, including protecting,
32 maintaining, and enhancing the quality and quantity of water
33 supplies;

34 (5) provide that the Palisades Interstate Park Commission, in
35 consultation with the New Jersey Department of Environmental
36 Protection, may also, from time to time, select and locate such
37 lands lying within the Highlands or Skylands areas of Bergen,
38 Hunterdon, Morris, Passaic, Somerset, Sussex, or Warren counties
39 in the State of New Jersey, as may, in the opinion of the
40 commission in consultation with the department, be proper and
41 necessary to be reserved for the purpose of establishing a park
42 and thereby preserving the scenic beauty of those areas, or for
43 other recreation and conservation purposes, including protecting,
44 maintaining, and enhancing the quality and quantity of water
45 supplies; and

46 (6) make various amendments for technical reasons or for
47 purposes of consistency.

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52 Amends Palisades Interstate Park Compact and implementing law.

ASSEMBLY ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 623

STATE OF NEW JERSEY

DATED: MARCH 15, 1994

The Assembly Environment and Energy Committee favorably reports an Assembly committee substitute for Assembly Bill No. 623.

This committee substitute generally would clarify and expand the authority and jurisdiction of the Palisades Interstate Park Commission to acquire and manage park lands in northern New Jersey, and provide that such lands could be acquired not only for the usual park purposes but also for the purposes of protecting, maintaining, or enhancing the quality and quantity of water supplies.

Specifically, the committee substitute would:

(1) provide that the Palisades Interstate Park Commission, in consultation with the New Jersey Department of Environmental Protection, may, from time to time, select and locate such lands lying within the Highlands or Skylands areas of Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, or Warren counties in the State of New Jersey, as may, in the opinion of the commission in consultation with the department, be proper and necessary to be reserved for the purpose of establishing a park and thereby preserving the scenic beauty of those areas, or for other recreation and conservation purposes, or for the purposes of protecting, maintaining, or enhancing the quality and quantity of water supplies;

(2) clarify that the Palisades Interstate Park Commission may seek, receive, and retain financial or other aid or assistance from the federal government or any state, local, or other governmental entity or authority, which aid or assistance may be used in the commission's discretion in the State of New Jersey for any park purpose except as may be specifically designated or restricted by law or by the terms of any such aid or assistance; and

(3) make various amendments for technical reasons or for purposes of consistency.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 623

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 13, 1995

The Senate Environment Committee favorably releases Assembly Bill No. 623 (ACS)(1R) with committee amendments.

The Assembly bill, as amended by committee, would expand the authority and jurisdiction of the Palisades Interstate Park Commission to acquire and manage park lands in northern New Jersey, and provide that such lands could be acquired not only for the usual park purposes but also for the purposes of protecting, maintaining, or enhancing the quality and quantity of water supplies.

Specifically, the bill would:

(1) provide that the Palisades Interstate Park Commission may, in consultation with the New Jersey Department of Environmental Protection and in cooperation with the North Jersey District Water Supply Commission, select, locate, acquire, and maintain, such lands lying within the Highlands or Skylands areas of Bergen, Hunterdon, Morris, Passaic, Somerset, or Warren counties in the State of New Jersey, including those areas lying within the North Jersey Water Supply District. These lands may be acquired for the purpose of establishing a park and thereby preserving the scenic beauty of those areas, for other recreation and conservation or historic preservation purposes, or for the purposes of protecting, maintaining, or enhancing the quality and quantity of water supplies as well as conserving watershed lands;

(2) clarify that the Palisades Interstate Park Commission may seek, receive, and retain financial or other aid or assistance from the federal government or any state, local, or other governmental entity or authority, which aid or assistance may be used in the commission's discretion in the State of New Jersey for any park purpose except as may be specifically designated or restricted by law or by the terms of any such aid or assistance; and

(3) provide that decisions of the Palisades Interstate Park Commission relating to the protection of water supplies will be made in cooperation with the North Jersey District Water Supply Commission.

The bill also provides that the North Jersey District Water Supply Commission shall have sole authority in identifying any surplus water within the lands administered by the Palisades Interstate Park Commission.

The committee amended the bill to remove Sussex county as an area in which the commission may locate and acquire lands; to specifically include hunting and fishing among the recreational activities allowed on the lands; and to eliminate the commission's powers of eminent domain in New Jersey, except for those existing eminent domain powers of the commission relating to the location, construction, maintenance, and operation of the Henry Hudson Drive and the Palisades Interstate Parkway.

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Assembly Committee Substitute for
Assembly Bill No. 623
(Second Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14, of the New Jersey Constitution, I am returning Assembly Committee Substitute for Assembly Bill No. 623 (Second Reprint) with my recommendations for reconsideration.

A. Summary of Bill

This bill clarifies and expands the authority and jurisdiction of the Palisades Interstate Park Commission to acquire and manage park land in northern New Jersey. The bill provides that such lands may be acquired not only for preserving scenic beauty and promoting recreation and historic preservation but also for the purpose of protecting, maintaining, or enhancing the quality and quantity of water supplies. In consultation with the Department of Environmental Protection and the North Jersey District Water Supply Commission, the Palisades Interstate Park Commission is empowered, in this bill, to identify and require such lands. The North Jersey District Water Supply Commission is granted sole authority, however, to determine which water is surplus and to approve or disapprove the sale of surplus water.

B. Recommended Action

I agree entirely that the Palisades Interstate Park Commission should play a vital role in managing park land in northern New Jersey and that environmental considerations should be considered as important as scenic beauty, recreation, and historic preservation in acquiring park lands. By reposing "sole authority" in a regional water supply commission to identify surplus water and to approve and disapprove the sale of surplus water, however, the bill has potentially undermined the authority

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EXECUTIVE DEPARTMENT

2

of the Department of Environmental Protection pursuant to the "Water Supply Management Act," P.L. 1981, c.262 (C.58:1A-2 et seq.), to oversee water policy for the State as a whole. To address this conflict, I am recommending that the bill be amended to reassert the authority of the Department of Environmental Protection and to clarify the role of the North Jersey District Water Supply Commission.

Accordingly, I am returning Assembly Committee Substitute for Assembly Bill No. 623 (Second Reprint) and recommend that it be amended as follows:

<u>Page 3, Section 3, Line 2:</u>	Delete " <u>The North Jersey District</u> "
<u>Page 3, Section 3, Lines 3-6:</u>	Delete in their entirety and insert "In relation to lands acquired by the Palisades Interstate Park Commission within the region served by the North Jersey District Water Supply Commission, the North Jersey District Water Supply Commission may determine which waters are surplus, and no surplus waters or rights thereto shall be sold, leased, or used without review and comment by the North Jersey District Water Supply Commission. Nothing in this section shall be construed to limit the authority of the Department of Environmental Protection to manage water supplies pursuant to the "Water Supply Management Act," P.L. 1981, c.262 (C.58:1A-1 et seq.)."

Respectfully,

/s/ Christine Todd Whitman

GOVERNOR

[seal]

Attest:

/s/ Margaret M. Foti

Chief Counsel to the Governor

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ASSEMBLY, No. 623
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblywoman OGDEN and Assemblyman HAYTAIAN

1 AN ACT amending the compact of June 2, 1937 between the
2 states of New Jersey and New York concerning Palisades
3 Interstate Park and the Palisades Interstate Park Commission,
4 amending various sections of chapter 14 of Title 32 of the
5 Revised Statutes, and amending P.L.1980, c.104.
6

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

9 1. The preamble of the compact of June 2, 1937 with the State
10 of New York, relating to Palisades Interstate Park and the
11 Palisades Interstate Park Commission, which is compiled at
12 R.S.32:17-2, is amended to read as follows:

13 32:17-2. Preamble; consideration of agreement

14 Whereas, heretofore the states of New York and New Jersey
15 have co-operated in the establishment and maintenance of an
16 interstate park along the front of the Palisades in said states and
17 in the mountainous lands in Rockland and Orange counties in the
18 state of New York and in the state of New Jersey , by
19 respectively enacting legislation creating in each state a body
20 politic by the name and style of "commissioners of the Palisades
21 Interstate park" , with power to acquire lands for such park, and
22 improve and manage the same, and by respectively appointing, in
23 practically all cases, the same persons as members of each of
24 such state bodies politic; and

25 Whereas, it is confidently believed that the creation, by
26 interstate compact, of a joint corporate municipal
27 instrumentality to hold and manage such interstate park will
28 provide greater flexibility and harmony in the management of the
29 park,

30 Now, therefore, in consideration of the premises and of the
31 mutual advantages and benefits, including protecting,
32 maintaining, and enhancing the quality and quantity of water
33 supplies, to accrue to the peoples of the states of New York and
34 New Jersey from this compact and in consideration of the mutual
35 covenants of the parties hereto herein contained, the sovereign
36 state of New York and the sovereign state of New Jersey do
37 hereby agree as follows:

38 (cf: R.S.32:17-2)

39 2. Article V of the compact of June 2, 1937 with the State of
40 New York, relating to Palisades Interstate Park and the Palisades
41 Interstate Park Commission, which is compiled at R.S.32:17-7, is
42 amended to read as follows:

43 32:17-7. Gifts, bequests or devises; use of revenue and income;
44 reports and estimates

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.

ARTICLE V.

1
2 1. All money, securities and other property, real and personal,
3 heretofore received by either of the state boards or hereafter
4 received by the commission by way of gift, bequest or devise,
5 may be retained by the commission and, except in so far as the
6 purpose or manner of using the same is otherwise specifically
7 designated or restricted by the terms of any such gift, bequest or
8 devise, may be used in the commission's discretion in either state
9 for any park purpose; and the commission may likewise retain and
10 use all revenue and income arising solely from such money,
11 securities and other property so received by way of gift, bequest
12 or devise or from facilities or operations financed solely by funds
13 so received. In the case of revenue and income arising partly
14 from specific property received by way of gift, bequest or devise
15 or from specific facilities or operations financed partly by funds
16 so received, the commission may likewise retain and use such
17 proportion of such revenue and income as the amount of gifts,
18 bequests or devises, or the proceeds thereof, invested in each
19 such property, facility or operation, bears to the total amount
20 invested therein. The legislature of either state may from time
21 to time by law specifically made applicable to the commission
22 prescribe other terms and conditions upon which or purposes for
23 which any gifts, bequests or devises thereafter made of money,
24 securities or other property may be accepted for use in such state
25 or used in such state or prescribe a different manner of
26 administering gifts, bequests or devises thereafter made in such
27 state and the disposition of all revenues or income arising
28 therefrom.

29 2. Either state may from time to time by law require the
30 commission to render to any designated official or official body
31 of such state such reports and such estimates of revenues and
32 expenditures as may be specified in such law.

33 3. The commission may seek, receive, and retain financial or
34 other aid or assistance from the federal government or any state,
35 local, or other governmental entity or authority, which aid or
36 assistance may be used in the commission's discretion in either
37 state for any park purpose except as may be specifically
38 designated or restricted by law or by the terms of any such aid or
39 assistance.

40 (cf: R.S.32:17-7)

41 3. Section 1 of P.L.1980, c.104 (C.32:14-1.1) is amended to
42 read as follows:

43 1. The Legislature finds and declares that the Palisades
44 Interstate Park constitutes a natural and historic resource of
45 immeasurable value; that concern for the preservation of this
46 resource resulted in the enactment, in 1937, of an interstate
47 compact between New Jersey and New York; that from time to
48 time it may benefit either or both of the states of New Jersey
49 and New York to utilize the Palisades Interstate Park
50 Commission as the administering agency for parkland that may be
51 acquired in southern New York or northern New Jersey; that this
52 compact established the Palisades Interstate Park Commission as
53 a separate agency charged with the responsibility of maintaining
54 this interstate park; that the separation of this commission from

1 all other agencies of State government has tended to impede.
2 rather than facilitate, the discharging of this responsibility; and
3 that, in order to insure the realization of the purpose of the
4 interstate compact, it is necessary to alter the powers, functions
5 and duties of the commission, all as hereinafter provided.

6 (cf: P.L.1980, c.104, s.1)

7 4. Section 5 of P.L.1980, c.104 (C.32:14-1.5) is amended to
8 read as follows:

9 5. a. Commission projects for the acquisition or development
10 of land for recreation and conservation purposes, including
11 protecting, maintaining, and enhancing the quality and quantity
12 of water supplies, shall be considered State projects for the
13 purposes of eligibility for funding pursuant to the provisions of
14 the "New Jersey Green Acres Bond Act of 1961" (P.L.1961, c.46),
15 the "New Jersey Green Acres Bond Act of 1971" (P.L.1971,
16 c.165), the "New Jersey Green Acres and Recreation
17 Opportunities Bond Act of 1974" [(P.L.1974, c. 108)] (P.L.1974,
18 c.102) , the "New Jersey Green Acres Bond Act of 1978"
19 (P.L.1978, c. 118), as well as any other Green Acres Bond Act
20 adopted subsequent to the effective date of [this amendatory and
21 supplementary act] P.L.1980, c.104 (C.32:14-1.1 et al.) .
22 Requests by the commission for funding shall be submitted to the
23 department and reviewed in the same manner as similar requests
24 from other State departments, divisions, agencies or
25 instrumentalities thereof.

26 b. The commission shall coordinate its planning for the
27 acquisition, development and use of lands for recreation and
28 conservation purposes with planning conducted by the department
29 for the preparation and revision of (1) the Comprehensive Master
30 Plan, pursuant to P.L.1977, c.348 (C.13:8A-55); and (2) the New
31 Jersey Statewide Comprehensive Outdoor Recreation Plan,
32 pursuant to the "Federal Land and Water Conservation Fund Act
33 of 1965" (P.L.94-422).

34 (cf: P.L.1980, c.104, s.5)

35 5. R.S.32:14-5 is amended to read as follows:

36 32:14-5. Lands included in and purpose of park; authority to
37 acquire

38 Palisades Interstate Park Commission shall, from time to time,
39 select and locate such lands lying between the top or steep edge
40 of the Palisades' or the crest of the slope in places where the
41 steep Palisade rocks are absent and the high-water line of the
42 Hudson river, from the New York State line on the north, to a
43 line beginning at the intersection of the southern line of the old
44 Fort Lee dock or landing with the high-water line of the Hudson
45 river and running thence in a westerly direction and at right
46 angles to said high-water line of the Hudson river to the east side
47 of the river road running from Edgewater to Fort Lee, in Bergen
48 county, on the south, and such lands or rights in lands belonging
49 to persons other than the State, as may lie between the exterior
50 bulkhead line established in the Hudson river and the high-water
51 line of the Hudson river, as may, in the opinion of the
52 commission, be proper and necessary to be reserved for the
53 purpose of establishing a park and thereby preserving the scenic
54 beauty of the Palisades.

1 The commission:

2 a. in consultation with the appropriate governmental agencies
3 of the State of New York as designated by that state, may also,
4 from time to time, select and locate such lands lying within
5 Rockland and Orange counties in the State of New York,
6 including the area known as Sterling Forest, as may, in the
7 opinion of the commission in consultation with those agencies, be
8 proper and necessary to be reserved for the purpose of
9 establishing a park and thereby preserving the scenic beauty of
10 those areas, or for other recreation and conservation purposes,
11 including protecting, maintaining, and enhancing the quality and
12 quantity of water supplies; and

13 b. in consultation with the New Jersey Department of
14 Environmental Protection, may also, from time to time, select
15 and locate such lands lying within the Highlands or Skylands areas
16 of Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, or
17 Warren counties in the State of New Jersey, as may, in the
18 opinion of the commission in consultation with the department,
19 be proper and necessary to be reserved for the purpose of
20 establishing a park and thereby preserving the scenic beauty of
21 those areas, or for other recreation and conservation purposes,
22 including protecting, maintaining, and enhancing the quality and
23 quantity of water supplies.

24 (cf: P.L.1939, c.191, s.5)

25 6. R.S.32:14-7 is amended to read as follows:

26 32:14-7. Gifts, contributions or bequests; power to purchase,
27 sell or lease

28 Palisades Interstate Park Commission shall have power to
29 receive by gift, contribution or bequest, moneys, stocks, bonds,
30 securities or other property, and own, hold, invest or otherwise
31 use the same. The commission shall have power to purchase or
32 otherwise acquire personal property and to hold the same. The
33 commission shall have power to sell all personal property,
34 supplies, chattels, material, profits a prendre and the right to
35 surplus waters which it decides to be not necessary or desirable
36 for the uses and purposes of the park, and to lease, charter,
37 license or privilege the use, for park or other purposes, of all
38 personal property.

39 The commission may seek, receive, and retain financial or
40 other aid or assistance from the federal government or any state,
41 local, or other governmental entity or authority, which aid or
42 assistance may be used in the commission's discretion in either
43 state for any park purpose except as may be specifically
44 designated or restricted by law or by the terms of any such aid or
45 assistance.

46 (cf: P.L.1939, c.191, s.7)

47 7. R.S.32:14-9 is amended to read as follows:

48 32:14-9. Maps and lands condemned

49 Before any proceedings shall be had or taken for acquiring by
50 condemnation the title to any of the lands selected and located
51 under [section 32:14-5 of this Title] R.S.32:14-5 , Palisades
52 Interstate Park Commission shall cause to be made, by such
53 engineer and surveyor as it shall select, a map of the parcel or
54 parcels of lands and rights in lands which it shall determine and