

SENATE, No. 226

STATE OF NEW JERSEY
214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator SEAN T. KEAN

District 11 (Monmouth)

SYNOPSIS

Restricts conveyance of National Guard Training Center in Borough of Sea Girt, Monmouth County; requires study and public hearings before conveyance.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the State-owned land and improvements
2 thereon used as the National Guard Training Center in the
3 Borough of Sea Girt, Monmouth County, and supplementing
4 chapter 31 of Title 52 of the Revised Statutes.

5

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

8

9 1. a. The real property and improvements thereon owned by
10 the State and known as the National Guard Training Center in the
11 Borough of Sea Girt, Monmouth County, may be conveyed through
12 sale, lease, or exchange only pursuant to the restrictions and
13 procedures set forth in this act, P.L. , c. (pending before the
14 Legislature as this bill).

15 Any conveyance by the State of the property and improvements
16 thereon, in whole or in part, shall include a covenant that the land
17 may be used only for recreational or conservation purposes, and
18 that covenant shall run with the land in perpetuity.

19 The real property and improvements thereon shall not be
20 conveyed, in whole or in part, by sale, lease, or exchange by the
21 State unless the State Treasurer first:

22 (1) prepares a report identifying the reasons for, and all
23 advantages, disadvantages, benefits, and detriments of the proposed
24 conveyance; assessing the impact of the proposed conveyance on
25 military and law enforcement training, the environment, the
26 community, public open space, and recreation under both the
27 current and proposed uses; and assessing the economic value of the
28 proposed conveyance under both the current and proposed uses.

29 (2) transmits the report required to be prepared pursuant to
30 paragraph (1) of this subsection at least 30 days in advance of the
31 date of the first scheduled public hearing required pursuant to
32 paragraph (4) of this subsection to the chairpersons of the Senate
33 Environment Committee, the Senate Law and Public Safety and
34 Veterans' Affairs Committee, the Senate State Government
35 Committee, the Senate Budget and Appropriations Committee, the
36 Assembly Environment and Solid Waste Committee, the Assembly
37 State Government Committee, the Assembly Homeland Security
38 and State Preparedness Committee, and the Assembly
39 Appropriations Committee, or the successors of those committees
40 as designated by the President of the Senate for the Senate
41 committees and by the Speaker of the General Assembly for the
42 Assembly committees, and to the State House Commission.

43 (3) makes the report required to be prepared pursuant to
44 paragraph (1) of this subsection available upon request, at no cost or
45 at the cost of reproduction, to the public at least 30 days in advance
46 of the date of the first scheduled public hearing required pursuant to

1 paragraph (4) of this subsection, and at each of the two public
2 hearings.

3 (4) conducts two public hearings on the proposed conveyance,
4 in addition to any other applicable requirements of law, rule, or
5 regulation, at least 14 days apart and at least 90 days in advance of
6 the date on which the proposed conveyance is scheduled to be
7 considered by the State House Commission, or, if review by the
8 State House Commission is not required under law, than at least 90
9 days in advance of the date of the proposed conveyance. Of the two
10 public hearings, one shall be held in the City of Trenton, Mercer
11 County, and the other in the Borough of Sea Girt or, if that is not
12 practicable, in a municipality as close thereto as can reasonably be
13 arranged. At each such hearing, the State Treasurer shall explain
14 the proposed conveyance and indicate the consideration to be
15 received by the State for agreeing to the proposed conveyance.

16 b. The State Treasurer may assess and collect a reasonable fee
17 from any person or entity to whom the real property and
18 improvements thereon may be conveyed to cover the administrative
19 and any other costs incurred by the Department of the Treasury in
20 complying with the provisions and requirements of this section.
21 The fee shall be payable whether or not the lands are in fact
22 eventually conveyed to such person or entity.

23
24 2. In addition to any other applicable requirements of law, rule,
25 or regulation, the State Treasurer shall provide notice of any public
26 hearing required pursuant to paragraph (4) of subsection a. of
27 section 1 of this act, P.L. , c. (pending before the Legislature as
28 this bill), at least 30 days in advance of the date of the hearing as
29 follows:

30 a. by mailing a copy of the notice to:

31 (1) all parties to the proposed conveyance;

32 (2) the governing body, county clerk, and municipal clerk of
33 Monmouth County and the Borough of Sea Girt; and

34 (3) any person who requests in writing of the Department of the
35 Treasury to receive in advance such notices;

36 b. by publishing the notice in a daily or weekly newspaper of
37 general circulation in Monmouth County and the Borough of Sea
38 Girt;

39 c. by publishing a notice in the New Jersey Register; and

40 d. by publishing a notice in the Department of Environmental
41 Protection Monthly Bulletin.

42
43 3. The State Treasurer shall include the following information
44 in all notices required pursuant to section 2 of this act, P.L. ,
45 c. (pending before the Legislature as this bill):

46 a. a general description and the location of the real property
47 and improvements thereon proposed to be conveyed, including the

- 1 street address, if any, and the lot and block numbers from the
- 2 currently applicable municipal tax map;
- 3 b. the name of the parties to the proposed conveyance;
- 4 c. a description of the current and proposed use of the real
- 5 property and improvements thereon to be conveyed;
- 6 d. the date, time, and place of the public hearing;
- 7 e. a statement that the public may submit written comments to
- 8 the Department of the Treasury on or before the date of the public
- 9 hearing;
- 10 f. a brief description of the comment procedures;
- 11 g. the name and address of the person in the Department of the
- 12 Treasury designated to receive written comments and to contact for
- 13 additional information and copies of any reports, analyses, hearing
- 14 transcripts, or appraisals of value prepared concerning the proposed
- 15 conveyance; and
- 16 h. any additional information considered by the Department of
- 17 the Treasury to be necessary or appropriate.

18

19 4. The Department of the Treasury shall submit to the standing

20 reference committees of the New Jersey Legislature named in

21 paragraph (2) of subsection a. of section 1 of this act, P.L. ,

22 c. (pending before the Legislature as this bill), and to the State

23 House Commission for any conveyance requiring, pursuant to law,

24 review by the commission, a summary of the written comments

25 received and the testimony heard at each public hearing held

26 pursuant to paragraph (4) of subsection a. of section 1 of this act

27 pertaining to the proposed conveyance within 30 days after the date

28 on which the public hearing is held. Transcripts of any public

29 hearing shall also be made available, upon request, to the public

30 within that time period.

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32 5. This act shall take effect immediately.

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35 STATEMENT

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37 This bill imposes restrictions and procedures for the conveyance

38 though sale, lease or exchange of the lands and facilities owned by

39 the State and known as the National Guard Training Center in the

40 Borough of Sea Girt in Monmouth County.

41 The bill requires any conveyance by the State of this property to

42 include a covenant that the land may be used only for conservation

43 and recreational purposes, with the covenant to run with the land in

44 perpetuity.

45 Before the property can be conveyed, in whole or in part, the

46 State Treasurer must first

1 (1) prepare a report identifying the reasons for, and all
2 advantages, disadvantages, benefits, and detriments of the proposed
3 conveyance; assessing the impact of the proposed conveyance on
4 military and law enforcement training, the environment, the
5 community, public open space, and recreation under both the
6 current and proposed uses; and assessing the economic value of the
7 proposed conveyance under both the current and proposed uses.

8 (2) transmit the report to the Senate Environment Committee,
9 the Senate Law and Public Safety and Veterans' Affairs Committee,
10 the Senate State Government Committee, the Senate Budget and
11 Appropriations Committee, the Assembly Environment and Solid
12 Waste Committee, the Assembly State Government Committee, the
13 Assembly Homeland Security and State Preparedness Committee,
14 and the Assembly Appropriations Committee, and to the State
15 House Commission.

16 (3) make the report available upon request, at no cost or at the
17 cost of reproduction, to the public at least 30 days in advance of the
18 date of the first scheduled public hearing.

19 (4) conduct two public hearings on the proposed conveyance,
20 one in Trenton and one in Sea Girt, at least 14 days apart and at
21 least 90 days in advance of the date on which the proposed
22 conveyance is scheduled to be considered by the State House
23 Commission, or, if review by the State House Commission is not
24 required under law, than at least 90 days in advance of the date of
25 the proposed conveyance.

26 At each such hearing, the State Treasurer will explain the
27 proposed conveyance and indicate the consideration to be received
28 by the State for agreeing to the proposed conveyance.

29 The State Treasurer may assess and collect a reasonable fee from
30 any person or entity to whom property may be conveyed to cover
31 the administrative and any other costs incurred by the Department
32 of the Treasury in complying with the provisions and requirements
33 of this bill.

34 The bill requires the State Treasurer to provide notice of the
35 public hearings at least 30 days in advance by mailing a copy of the
36 notice to:

37 (1) all parties to the proposed conveyance;

38 (2) the governing body, county clerk, and municipal clerk of
39 Monmouth County and the Borough of Sea Girt; and

40 (3) any person who requests in writing to receive in advance
41 such notices;

42 Publication in a daily or weekly newspaper of general circulation
43 in Monmouth County and the Borough of Sea Girt; in the New
44 Jersey Register; and in the Department of Environmental Protection
45 Monthly Bulletin is also required.

46 The State Treasurer will include in the public hearing notices a
47 general description and the location of the property; the name of the

1 parties to the proposed conveyance; a description of the current and
2 proposed use of the property; the date, time, and place of the public
3 hearing; a statement that the public may submit written comments
4 on or before the date of the public hearing; a brief description of the
5 comment procedures; the name and address of the person in the
6 Department of the Treasury designated to receive written comments
7 and to contact for additional information and copies of any reports,
8 analyses, hearing transcripts, or appraisals of value prepared
9 concerning the proposed conveyance; and any additional
10 information considered to be necessary or appropriate.

11 The State Treasurer will submit to the standing reference
12 committees of the New Jersey Legislature named above and to the
13 State House Commission a summary of the written comments
14 received and the testimony heard at each public hearing within 30
15 days after the date on which the public hearing is held.

16 The National Guard Training Center at Sea Girt provides training
17 throughout the year for National Guard, New Jersey State Police,
18 and other law enforcement personnel.