

# SENATE, No. 226

## STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

**Sponsored by:**

**Senator STEVEN V. OROHO**

**District 24 (Morris, Sussex and Warren)**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

**Senator O'Toole**

**SYNOPSIS**

Prohibits State departments and agencies from considering or requiring compliance by Highlands planning area municipalities with Highlands regional master plan in certain circumstances.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 2/14/2012)**

1 AN ACT concerning the Highlands planning area, and  
2 supplementing P.L.2004, c.120 (C.13:20-1 et al.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. Notwithstanding the provisions of any other law to the  
8 contrary, or any rule or regulation adopted pursuant thereto, no  
9 State department or agency, including, but not limited to, the  
10 Council on Affordable Housing, the Department of Community  
11 Affairs, the Department of Environmental Protection, the  
12 Department of Transportation, and the Highlands Water Protection  
13 and Planning Council, may require a municipality located in the  
14 planning area of the Highlands Region, to revise its master plan and  
15 development regulations to conform to the goals, requirements and  
16 provisions of the regional master plan, as a condition to any  
17 approval or decision concerning the municipality or any person in  
18 the municipality, including a decision to award a grant or loan, a  
19 decision concerning the amount of a grant or loan, whether to  
20 provide aid or assistance, to grant or deny a permit, or concerning  
21 the terms or conditions of a permit.

22 b. Notwithstanding the provisions of any other law to the  
23 contrary, or any rule or regulation adopted pursuant thereto, no  
24 State department or agency, including, but not limited to, the  
25 Council on Affordable Housing, the Department of Community  
26 Affairs, the Department of Environmental Protection, the  
27 Department of Transportation, and the Highlands Water Protection  
28 and Planning Council, may consider for any municipality located in  
29 the planning area of the Highlands Region, the municipality's  
30 conformance or lack of conformance with the regional master plan  
31 as a factor in any decision to award a grant or loan, a decision  
32 concerning the amount of a grant or loan, whether to provide aid or  
33 assistance, grant or deny a permit, or the terms or conditions of a  
34 permit.

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill would prohibit any State department or agency from  
42 requiring that a municipality in the Highlands Region planning area  
43 revise its master plan and development regulations to conform to  
44 the goals, requirements and provisions of the regional master plan,  
45 as a condition to any approval or decision concerning the  
46 municipality or any person in the municipality, including a decision  
47 to award a grant or loan, a decision concerning the amount of a

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1 grant or loan, whether to provide aid or assistance, to grant or deny  
2 a permit, or concerning the terms or conditions of a permit.  
3 Similarly, the municipality's conformance with the regional master  
4 plan or lack of conformance with the plan could not be considered  
5 by a State department or agency as a factor in a decision to award a  
6 grant or loan, a decision concerning the amount of a grant or loan,  
7 whether to provide aid or assistance, to grant or deny a permit, or  
8 concerning the terms or conditions of a permit.