

SENATE, No. 4276

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED DECEMBER 5, 2019

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Appropriates \$32,153,936 to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/10/2019)

1 AN ACT appropriating \$32,153,936 from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.

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

7
8 1. a. There is appropriated to the State Agriculture
9 Development Committee the sum of \$25,756,936 in the following
10 subtotal amounts, listed in paragraphs (1) through (4) of this
11 subsection, to pay the cost of acquisition by the committee of
12 development easements on, or fee simple titles to, farmland, to
13 provide grants to counties and municipalities for up to 80 percent of
14 the cost of acquisition of fee simple titles to farmland, to provide
15 grants to qualifying tax-exempt non-profit organizations for up to
16 50 percent of the cost of acquisition of fee simple titles to farmland,
17 for farmland preservation purposes for projects approved as eligible
18 for such funding pursuant to the “Agricultural Retention and
19 Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the “Green
20 Acres, Farmland and Historic Preservation, and Blue Acres Bond
21 Act of 1995,” P.L.1995, c.204, the “Garden State Preservation Trust
22 Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), the “Green Acres,
23 Farmland, Blue Acres, and Historic Preservation Bond Act of
24 2007,” P.L.2007, c.119, the “Green Acres, Water Supply and
25 Floodplain Protection, and Farmland and Historic Preservation
26 Bond Act of 2009,” P.L.2009, c.117, and the “Preserve New Jersey
27 Act,” P.L.2016, c.12 (C.13:8C-43 et seq.):

28 (1) \$25,239,000 from dedicated corporation business tax
29 revenues pursuant to Article VIII, Section II, paragraph 6 of the
30 State Constitution from the “Preserve New Jersey Farmland
31 Preservation Fund,” established pursuant to section 8 of the
32 “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50);

33 (2) \$111,418 from the “2009 Farmland Preservation Fund,”
34 established pursuant to section 18 of the “Green Acres, Water
35 Supply and Floodplain Protection, and Farmland and Historic
36 Preservation Bond Act of 2009,” P.L.2009, c.117;

37 (3) \$394,727 from the “2007 Farmland Preservation Fund,”
38 established pursuant to section 18 of the “Green Acres, Farmland,
39 Blue Acres, and Historic Preservation Bond Act of 2007,”
40 P.L.2007, c.119; and

41 (4) \$11,791 from the “Garden State Farmland Preservation
42 Fund,” established pursuant to section 20 of P.L.1999, c.152
43 (C.13:8C-20).

44 b. Any farmland acquired in fee simple with monies
45 appropriated pursuant to this section shall be offered for resale or
46 lease with agricultural deed restrictions approved by the committee.

47
48 2. There is appropriated from the “Preserve New Jersey
49 Farmland Preservation Fund,” established pursuant to section 8 of

1 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), from
2 the "2009 Farmland Preservation Fund," established pursuant to
3 section 18 of the "Green Acres, Water Supply and Floodplain
4 Protection, and Farmland and Historic Preservation Bond Act of
5 2009," P.L.2009, c.117, from the "2007 Farmland Preservation
6 Fund," established pursuant to section 18 of the "Green Acres,
7 Farmland, Blue Acres, and Historic Preservation Bond Act of
8 2007," P.L.2007, c.119, from the "Garden State Farmland
9 Preservation Trust Fund," established pursuant to section 20 of
10 P.L.1999, c.152 (C.13:8C-20), from the "1999 Open Space Fund,"
11 established pursuant to the "Open Space – Local Match Program of
12 the Fiscal Year 1999 annual appropriations act," P.L.1998, c.45,
13 from the "1995 Farmland Preservation Fund," established pursuant
14 to section 25 of the "Green Acres, Farmland and Historic
15 Preservation, and Blue Acres Bond Act of 1995," P.L.1995, c.204,
16 from the "1992 Farmland Preservation Fund," established pursuant
17 to section 24 of the "Green Acres, Clean Water, Farmland and
18 Historic Preservation Bond Act of 1992," P.L.1992, c.88, from the
19 "1989 Farmland Preservation Fund," established pursuant to section
20 22 of the "Open Space Preservation Bond Act of 1989," P.L.1989,
21 c.183, and from the "Farmland Preservation Fund," established
22 pursuant to section 5 of the "Farmland Preservation Bond Act of
23 1981," P.L.1981, c.276, to the State Agriculture Development
24 Committee such sums from any additional proceeds which may
25 become available by the effective date of this act due to the lease or
26 conveyance of land or development easements acquired or funded
27 by the committee, for the purpose of providing for the cost of
28 acquisition by the committee of development easements and fee
29 simple titles to farmland for farmland preservation purposes
30 pursuant to subsection a. of section 1 of this act.

31 Any farmland acquired in fee simple with monies appropriated
32 pursuant to this section shall be offered for resale or lease with
33 agricultural deed restrictions approved by the committee.
34

35 3. There is appropriated to the State Agriculture Development
36 Committee the sum of \$2,147,000 from the "Preserve New Jersey
37 Farmland Preservation Fund," established pursuant to section 8 of
38 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), for
39 the purpose of providing grants for stewardship activities as defined
40 pursuant to section 3 of P.L.2016, c.12 (C.13:8C-45), including soil
41 and water conservation project activities approved pursuant to
42 section 17 of P.L.1983, c.32 (C.4:1C-24) and deer-fencing activities
43 approved pursuant to section 5 of P.L.1983, c.32 (C.4:1C-5).
44

45 4. There is appropriated to the State Agriculture Development
46 Committee the sum of \$3,250,000 from the "Preserve New Jersey
47 Farmland Preservation Fund," established pursuant to section 8 of
48 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), for

1 the purpose of providing funding for organizational, administrative
2 and other work and services, including salaries, equipment,
3 materials, and services necessary to administer the applicable
4 provisions of P.L.2016, c.12 (C.13:8C-43 et seq.).

5
6 5. There is appropriated to the State Agriculture Development
7 Committee the sum of \$500,000 from the "Preserve New Jersey
8 Farmland Preservation Fund," established pursuant to section 8 of
9 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), for
10 the purpose of providing grants to counties and municipalities for
11 the development of a farmland preservation plan element for the
12 farmland preservation planning incentive grant program pursuant to
13 established pursuant to section 1 of P.L.1999, c.180 (C.4:1C-43.1).

14
15 6. There is appropriated to the State Agriculture Development
16 Committee the sum of \$500,000 from the "Garden State Farmland
17 Preservation Fund," established pursuant to section 20 of P.L.1999,
18 c.152 (C.13:8C-20), for the purpose of establishing an electronic
19 database for use by the committee in administering the farmland
20 preservation program, which shall, at a minimum: allow applicants
21 to submit annual planning applications and individual farm
22 applications electronically; connect with Geographic Information
23 Systems mapping and spatial information; enable on-line database
24 access for post-preservation monitoring and inspections; and assist
25 in application processing.

26
27 7. There is appropriated from the General Fund to the
28 "Preserve New Jersey Farmland Preservation Fund," established
29 pursuant to section 8 of the "Preserve New Jersey Act," P.L.2016,
30 c.12 (C.13:8C-50), the sum of \$31,136,000 to implement the
31 provisions of this act.

32
33 8. The expenditure of the sums approved by this act is subject
34 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
35 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
36 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
37 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
38 appropriate.

39
40 9. This act shall take effect immediately.

41 42 43 STATEMENT

44
45 This bill appropriates \$32,153,936 from various farmland
46 preservation funds to the State Agriculture Development Committee
47 (SADC) for certain farmland preservation purposes.

1 Of the funding provided by the bill, \$25,756,936 is appropriated
2 to the SADC to pay the cost of acquisition by the SADC of
3 development easements on, or fee simple titles to, farmland, to
4 provide grants to counties and municipalities for up to 80 percent of
5 the cost of acquisition of fee simple titles to farmland, and to
6 provide grants to qualifying tax exempt nonprofit organizations for
7 up to 50 percent of the cost of acquisition of fee simple titles to
8 farmland, for farmland preservation purposes for projects approved
9 as eligible for such funding pursuant to: the “Agricultural
10 Retention and Development Act”; the “Green Acres, Farmland and
11 Historic Preservation, and Blue Acres Bond Act of 1995”; the
12 “Garden State Preservation Trust Act”; the “Green Acres,
13 Farmland, Blue Acres, and Historic Preservation Bond Act of
14 2007”; the “Green Acres, Water Supply and Floodplain Protection,
15 and Farmland and Historic Preservation Bond Act of 2009”; and the
16 “Preserve New Jersey Act.”

17 Of the \$25,756,936 provided in section 1 of the bill for the
18 acquisition of fee simple titles and development easements to
19 farmland: \$25,239,000 is from constitutionally dedicated
20 corporation business tax (CBT) revenues in the “Preserve New
21 Jersey Farmland Preservation Fund” established pursuant to the
22 “Preserve New Jersey Act”; \$111,418 is from the “2009 Farmland
23 Preservation Fund” established pursuant to the “Green Acres, Water
24 Supply and Floodplain Protection, and Farmland and Historic
25 Preservation Bond Act of 2009”; \$394,727 is from the “2007
26 Farmland Preservation Fund” established pursuant to the “Green
27 Acres, Farmland, Blue Acres, and Historic Preservation Bond Act
28 of 2007”; and \$11,791 is from the “Garden State Farmland
29 Preservation Fund” established pursuant to the “Garden State
30 Preservation Trust Act.”

31 In addition, this bill appropriates \$2,147,000 from the “Preserve
32 New Jersey Farmland Preservation Fund” to the SADC for the
33 purpose of providing stewardship grants for activities, beyond
34 routine operation and maintenance, undertaken by landowners, or
35 farm operators as agents for landowners, to repair, restore, or
36 improve lands preserved for farmland preservation purposes,
37 including soil and water conservation project activities and deer-
38 fencing activities.

39 The appropriations in this bill for the acquisition of fee simple
40 titles and development easements to farmland and for stewardship
41 grants have been approved by the SADC and the Garden State
42 Preservation Trust.

43 The bill also appropriates to the SADC such sums from any
44 additional proceeds which may become available by the effective
45 date of the bill due to the lease or conveyance of farmland
46 previously acquired in fee simple by the SADC, for the purpose of
47 providing for the cost of acquisition by the SADC of development

1 easements and fee simple titles to farmland for farmland
2 preservation purposes.

3 This bill also appropriates \$3,250,000 to the SADC from the
4 “Preserve New Jersey Farmland Preservation Fund” for
5 organizational, administrative, and other work and services,
6 including salaries, equipment, materials, and services necessary to
7 administer the applicable provisions of the “Preserve New Jersey
8 Act.”

9 The bill also appropriates \$500,000 to the SADC from the
10 “Preserve New Jersey Farmland Preservation Fund” for the purpose
11 of providing grants to counties and municipalities for the
12 development of farmland preservation plan elements as required by
13 law for the farmland preservation planning incentive grant program.

14 Lastly, the bill appropriates to the SADC \$500,000 from the
15 “Garden State Farmland Preservation Fund,” established pursuant to
16 the “Garden State Preservation Trust Act,” for the establishment of
17 an “e-Farm” electronic database to replace the SADC’s existing,
18 outdated database with a modern database and interface. Creation
19 of a new database will include: allowing applicants to submit
20 annual planning applications and individual farm applications
21 electronically; connecting with Geographic Information Systems
22 mapping and spatial information; enabling on-line database access
23 for post-preservation monitoring and inspections; and assisting in
24 application processing.

25 The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
26 seq.), implements the constitutional dedication of corporation
27 business tax (CBT) revenues pursuant to Article VIII, Section II,
28 paragraph 6 of the State Constitution, approved by the voters of the
29 State in November 2014, for open space, farmland, and historic
30 preservation. The “Preserve New Jersey Farmland Preservation
31 Fund” was established pursuant to section 8 of the “Preserve New
32 Jersey Act.”