

[First Reprint]

**SENATE, No. 4276**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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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)**

**Assemblyman JOHN ARMATO**

**District 2 (Atlantic)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Senators Turner, Doherty and Assemblywoman Downey**

**SYNOPSIS**

Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes.

**CURRENT VERSION OF TEXT**

As reported by the Senate Environment and Energy Committee on December 9, 2019, with amendments.

(Sponsorship Updated As Of: 1/14/2020)

1 AN ACT appropriating \$32,153,936 from various farmland  
 2 preservation funds to the State Agriculture Development  
 3 Committee for farmland preservation purposes <sup>1</sup>and amending  
 4 P.L.2017, c.224 and P.L.2017, c.334<sup>1</sup> .  
 5

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

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

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

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

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

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

**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:

<sup>1</sup>Senate SEN committee amendments adopted December 9, 2019.

1       b. Any farmland acquired in fee simple with monies  
2 appropriated pursuant to this section shall be offered for resale or  
3 lease with agricultural deed restrictions approved by the committee.  
4

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

37       Any farmland acquired in fee simple with monies appropriated  
38 pursuant to this section shall be offered for resale or lease with  
39 agricultural deed restrictions approved by the committee.  
40

41       3. There is appropriated to the State Agriculture Development  
42 Committee the sum of \$2,147,000 from the "Preserve New Jersey  
43 Farmland Preservation Fund," established pursuant to section 8 of  
44 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), for  
45 the purpose of providing grants for stewardship activities as defined  
46 pursuant to section 3 of P.L.2016, c.12 (C.13:8C-45), including soil  
47 and water conservation project activities approved pursuant to

1 section 17 of P.L.1983, c.32 (C.4:1C-24) and deer-fencing activities  
2 approved pursuant to section 5 of P.L.1983, c.32 (C.4:1C-5).

3  
4 4. There is appropriated to the State Agriculture Development  
5 Committee the sum of \$3,250,000 from the "Preserve New Jersey  
6 Farmland Preservation Fund," established pursuant to section 8 of  
7 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), for  
8 the purpose of providing funding for organizational, administrative  
9 and other work and services, including salaries, equipment,  
10 materials, and services necessary to administer the applicable  
11 provisions of P.L.2016, c.12 (C.13:8C-43 et seq.).

12  
13 5. There is appropriated to the State Agriculture Development  
14 Committee the sum of \$500,000 from the "Preserve New Jersey  
15 Farmland Preservation Fund," established pursuant to section 8 of  
16 the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), for  
17 the purpose of providing grants to counties and municipalities for  
18 the development of a farmland preservation plan element for the  
19 farmland preservation planning incentive grant program <sup>1</sup>[pursuant  
20 to]<sup>1</sup> established pursuant to section 1 of P.L.1999, c.180 (C.4:1C-  
21 43.1).

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

34  
35 7. There is appropriated from the General Fund to the  
36 "Preserve New Jersey Farmland Preservation Fund," established  
37 pursuant to section 8 of the "Preserve New Jersey Act," P.L.2016,  
38 c.12 (C.13:8C-50), the sum of \$31,136,000 to implement the  
39 provisions of this act.

40  
41 8. The expenditure of the sums approved by this act is subject  
42 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et  
43 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1  
44 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,  
45 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as  
46 appropriate.

47  
48 <sup>1</sup>9. Section 3 of P.L.2017, c.224 is amended to read as follows:

1       3. There is appropriated from the “Preserve New Jersey  
2 Farmland Preservation Fund,” established pursuant to section 8 of  
3 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), and  
4 the unexpended balances in the Diesel Risk Mitigation Fund -  
5 Constitutional Dedication account made available for this purpose  
6 to the State Agriculture Development Committee the sum of  
7 \$1,496,340 for the purpose of providing grants for stewardship  
8 activities as defined pursuant to section 3 of P.L.2016, c.12  
9 (C.13:8C-45), including soil and water conservation project  
10 activities approved pursuant to section 17 of P.L.1983, c.32  
11 (C.4:1C-24) and deer-fencing activities approved pursuant to  
12 section 5 of P.L.1983, c.32 (C.4:1C-5).<sup>1</sup>  
13 (cf: P.L.2017, c.224, s.3)

14  
15       <sup>1</sup>10. Section 3 of P.L.2017, c.334 is amended to read as follows:

16       3. There is appropriated from the “Preserve New Jersey  
17 Farmland Preservation Fund,” established pursuant to section 8 of  
18 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), and  
19 the unexpended balances in the Diesel Risk Mitigation Fund -  
20 Constitutional Dedication account made available for this purpose  
21 to the State Agriculture Development Committee the sum of  
22 \$696,060 for the purpose of providing grants for stewardship  
23 activities as defined pursuant to section 3 of P.L.2016, c.12  
24 (C.13:8C-45), including soil and water conservation project  
25 activities approved pursuant to section 17 of P.L.1983, c.32  
26 (C.4:1C-24) and deer-fencing activities approved pursuant to  
27 section 5 of P.L.1983, c.32 (C.4:1C-5).<sup>1</sup>  
28 (cf: P.L.2017, c.334, s.3)

29  
30       <sup>1</sup>[9.] 11.<sup>1</sup> This act shall take effect immediately.