

ASSEMBLY, No. 2640

STATE OF NEW JERSEY

INTRODUCED JANUARY 9, 1997

By Assemblyman LANCE and Assemblywoman MYERS

1 AN ACT concerning Green Acres projects in depressed rural centers,  
2 amending P.L.1961, c.45, P.L.1971, c.419, and P.L.1975, c.155,  
3 and supplementing Title 13 of the Revised Statutes.

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

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8 1. (New section) a. Notwithstanding any law, rule, or regulation  
9 to the contrary, in making decisions concerning the awarding of grants  
10 or loans to municipalities to meet the cost of acquisition or  
11 development of lands for recreation and conservation purposes using  
12 the proceeds of Green Acres bonds issued by the State, the  
13 Commissioner of Environmental Protection shall give special  
14 consideration to project funding applications submitted by  
15 municipalities that qualify for State aid pursuant to the "Depressed  
16 Rural Centers Aid Act," P.L.1977, c.260 (C.52:27D-162 et seq.).

17 b. For the purposes of this section, "Green Acres bonds" means  
18 bonds issued by the State for the purpose of providing grants or loans  
19 to assist local government units to acquire or develop lands for  
20 recreation and conservation purposes pursuant to the following bond  
21 acts: P.L.1961, c.46; P.L.1971, c.165; P.L.1974, c.102; P.L.1978,  
22 c.118; P.L.1983, c.354; P.L.1987, c.265; P.L.1989, c.183; P.L.1992,  
23 c.88; or P.L.1995, c.204, or any subsequent bond act enacted for  
24 similar purposes.

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26 2. Section 5 of P.L.1961, c.45 (C.13:8A-5) is amended to read as  
27 follows:

28 5. In acquiring lands and making grants to assist local units to  
29 acquire lands the commissioner shall:

30 (a) seek to achieve a reasonable balance among all areas of the  
31 State in consideration of the relative adequacy of area recreation and  
32 conservation facilities at the time and the relative anticipated future  
33 needs for additional recreation and conservation facilities;

34 (b) insofar as practicable, limit acquisition to predominantly open

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

**Matter underlined thus is new matter.**

1 and natural land to minimize the cost of acquisition and the subsequent  
2 expense necessary to render land suitable for recreation and  
3 conservation purposes;

4 (c) wherever possible, select land for acquisition which is suitable  
5 for multiple recreation and conservation purposes;

6 (d) give due consideration to co-ordination with the plans of other  
7 departments of State Government with respect to land use or  
8 acquisition. For this purpose, the commissioner is authorized to use  
9 the facilities of any interdepartmental committee or other agency  
10 suitable to assist in such co-ordination ;

11 (e) give special consideration to project funding applications  
12 submitted by municipalities that qualify for State aid pursuant to the  
13 "Depressed Rural Centers Aid Act," P.L.1977, c.260 (C.52:27D-162  
14 et seq.) .

15 (cf: P.L.1961, c.45, s. 5)

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17 3. Section 5 of P.L.1971, c.419 (C.13:8A-23) is amended to read  
18 as follows:

19 5. In acquiring lands and making grants to assist local units to  
20 acquire lands the commissioner shall:

21 a. Seek to achieve a reasonable balance among all areas of the  
22 State in consideration of the relative adequacy of area recreation and  
23 conservation facilities at the time and the relative anticipated future  
24 needs for additional recreation and conservation facilities;

25 b. Insofar as practicable, limit acquisition to predominantly open  
26 and natural land and to minimize the cost of acquisition and the  
27 subsequent expense necessary to render land suitable for recreation  
28 and conservation purposes;

29 c. Wherever possible, select land for acquisition which is suitable  
30 for multiple recreation and conservation purposes;

31 d. Give due consideration to coordination with the plans of other  
32 departments of State Government with respect to land use or  
33 acquisition;

34 e. Acquisition of lands actively devoted to agriculture shall be  
35 avoided whenever possible and in lieu thereof, whenever feasible,  
36 development rights, conservation easements and other interests less  
37 than a fee simple shall be acquired ;

38 f. Give special consideration to project funding applications  
39 submitted by municipalities that qualify for State aid pursuant to the  
40 "Depressed Rural Centers Aid Act," P.L.1977, c.260 (C.52:27D-162  
41 et seq.) .

42 (cf: P.L.1971, c.419, s.5)

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44 4. Section 5 of P.L.1975, c.155 (C.13:8A-39) is amended to read  
45 as follows:

46 5. In acquiring and developing lands and making grants to assist

1 local units to acquire and develop lands the commissioner shall:

2 a. Seek to achieve a reasonable balance among all areas of the  
3 State in consideration of the relative adequacy of area recreation and  
4 conservation facilities at the time and the relative anticipated future  
5 needs for additional recreation and conservation facilities;

6 b. Insofar as practicable, limit acquisition to predominantly open  
7 and natural land and minimize the cost of acquisition and the  
8 subsequent expense necessary to develop such land for recreation and  
9 conservation purposes;

10 c. Wherever possible, select land for acquisition which is suitable  
11 for multiple recreation and conservation purposes;

12 d. Give due consideration to coordination with the plans of other  
13 departments of State Government with respect to land use or  
14 acquisition;

15 e. Avoid acquisition of lands actively devoted to agriculture  
16 whenever possible and in lieu thereof, whenever feasible, development  
17 rights, conservation easements and other interests less than a fee  
18 simple shall be acquired;

19 f. Give special consideration to project funding applications  
20 submitted by municipalities that qualify for State aid pursuant to the  
21 "Depressed Rural Centers Aid Act," P.L.1977, c.260 (C.52:27D-162  
22 et seq.).

23 (cf: P.L.1975, c.155, s.5)

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25 5. This act shall take effect immediately.

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#### STATEMENT

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30 This bill would require the Commissioner of Environmental  
31 Protection, in making decisions concerning the awarding of grants or  
32 loans to municipalities to meet the cost of acquisition or development  
33 of lands for recreation and conservation purposes using the proceeds  
34 of Green Acres bonds issued by the State, to give special consideration  
35 to project funding applications submitted by municipalities that qualify  
36 for State aid pursuant to the "Depressed Rural Centers Aid Act,"  
37 P.L.1977, c.260 (C.52:27D-162 et seq.).

38 This bill is necessary because depressed rural municipalities often  
39 do not have sufficient financial resources to acquire and develop  
40 municipal parks and open space. In addition, because of the often  
41 limited size and scope of their park and open space projects, these  
42 municipalities often are unable to compete effectively for Green Acres  
43 funding when it becomes available. This bill would help rectify that  
44 imbalance by directing the Commissioner of Environmental Protection  
45 to give special consideration to the park and open space projects of  
46 depressed rural municipalities when the commissioner is ranking

1 projects for Green Acres funding. Currently, there are about 20  
2 municipalities that qualify for State aid under the "Depressed Rural  
3 Centers Aid Act."

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8 Requires that depressed rural municipalities receive special  
9 consideration for Green Acres program funding.