

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.