

P.L. 1997, CHAPTER 104, *approved June 2, 1997*  
Assembly, No. 319

1        **AN ACT** appropriating \$15,284,000, and reappropriating \$2,788,000,  
2        from the "Green Acres, Clean Water, Farmland and Historic  
3        Preservation Bond Act of 1992," P.L.1992, c.88, and  
4        reappropriating \$328,000, and appropriating \$2,675,000 in interest  
5        earnings, from the "Open Space Preservation Bond Act of 1989,"  
6        P.L.1989, c.183, for farmland preservation; authorizing the use of  
7        unexpended balances and interest earnings from certain farmland  
8        preservation bond funds for farmland preservation; approving  
9        certain farmland preservation projects in southern New Jersey as  
10       eligible for funding; appropriating \$750,000 from the "Green Acres,  
11       Clean Water, Farmland and Historic Preservation Bond Act of  
12       1992," P.L.1992, c.88, for soil and water conservation projects; and  
13       appropriating \$1,000,000 from the "Green Acres, Farmland and  
14       Historic Preservation, and Blue Acres Bond Act," P.L.1995, c.204,  
15       for costs incurred in implementing the farmland preservation  
16       program.

17

18        **BE IT ENACTED** *by the Senate and General Assembly of the State*  
19        *of New Jersey:*

20

21        1. a. There is appropriated from the "1992 Farmland Preservation  
22        Fund," established pursuant to section 24 of the "Green Acres, Clean  
23        Water, Farmland and Historic Preservation Bond Act of 1992,"  
24        P.L.1992, c.88, to the State Agriculture Development Committee the  
25        sum of \$15,284,000 for the purpose of: (1) providing grants to  
26        counties and municipalities for up to 80% of the cost of acquisition of  
27        development easements on farmland, provided that any funds received  
28        for the transfer of a development easement shall be dedicated to the  
29        future purchase of development easements, for projects approved as  
30        eligible for such funding pursuant to section 2 of this act and section  
31        1 of P.L.     , c.     (C.     ) (now before the Legislature as Senate  
32        Bill No. 1710 of 1996 or Assembly Bill No. 328 of 1996); and (2)  
33        providing for up to 100% of the cost of acquisition of development  
34        easements under such emergency conditions as the State Agriculture  
35        Development Committee determines, for projects approved as eligible  
36        for such funding pursuant to section 2 of this act and section 1 of

1 P.L. , c. (C. ) (now before the Legislature as Senate  
2 Bill No. 1710 of 1996 or Assembly Bill No. 328 of 1996).

3 b. There is reappropriated from the "1992 Farmland Preservation  
4 Fund," established pursuant to section 24 of the "Green Acres, Clean  
5 Water, Farmland and Historic Preservation Bond Act of 1992,"  
6 P.L.1992, c.88, to the State Agriculture Development Committee the  
7 unexpended balances of \$2,788,000 appropriated pursuant to  
8 P.L.1995, c.60, for the purpose of: (1) providing grants to counties  
9 and municipalities for up to 80% of the cost of acquisition of  
10 development easements on farmland, provided that any funds received  
11 for the transfer of a development easement shall be dedicated to the  
12 future purchase of development easements, for projects approved as  
13 eligible for such funding pursuant to section 2 of this act and section  
14 1 of P.L. , c. (C. ) (now before the Legislature as Senate  
15 Bill No. 1710 of 1996 or Assembly Bill No. 328 of 1996); and (2)  
16 providing for up to 100% of the cost of acquisition of development  
17 easements under such emergency conditions as the State Agriculture  
18 Development Committee determines, for projects approved as eligible  
19 for such funding pursuant to section 2 of this act and section 1 of  
20 P.L. , c. (C. ) (now before the Legislature as Senate  
21 Bill No. 1710 of 1996 or Assembly Bill No. 328 of 1996).

22 c. There is reappropriated from the "1989 Farmland Preservation  
23 Fund," established pursuant to section 22 of the "Open Space  
24 Preservation Bond Act of 1989," P.L.1989, c.183, to the State  
25 Agriculture Development Committee the unexpended balances of  
26 \$328,000 appropriated or reappropriated pursuant to P.L.1993, c.262,  
27 P.L.1993, c.263, P.L.1993, c.264, P.L.1995, c.60, P.L.1995, c.61,  
28 P.L.1995, c.62, and P.L.1996, c.56, for the purpose of: (1) providing  
29 grants to counties and municipalities for up to 80% of the cost of  
30 acquisition of development easements on farmland, provided that any  
31 funds received for the transfer of a development easement shall be  
32 dedicated to the future purchase of development easements, for  
33 projects approved as eligible for such funding pursuant to section 2 of  
34 this act and section 1 of P.L. , c. (C. ) (now before the  
35 Legislature as Senate Bill No. 1710 of 1996 or Assembly Bill No. 328  
36 of 1996); and (2) providing for up to 100% of the cost of acquisition  
37 of development easements under such emergency conditions as the  
38 State Agriculture Development Committee determines, for projects  
39 approved as eligible for such funding pursuant to section 2 of this act  
40 and section 1 of P.L. , c. (C. ) (now before the Legislature as  
41 Senate Bill No. 1710 of 1996 or Assembly Bill No. 328 of 1996).

42 d. There is appropriated from the "1989 Farmland Preservation  
43 Fund," established pursuant to section 22 of the "Open Space  
44 Preservation Bond Act of 1989," P.L.1989, c.183, to the State  
45 Agriculture Development Committee the sum of \$2,675,000 in interest  
46 earnings for the purpose of: (1) providing grants to counties and

1 municipalities for up to 80% of the cost of acquisition of development  
 2 easements on farmland, provided that any funds received for the  
 3 transfer of a development easement shall be dedicated to the future  
 4 purchase of development easements, for projects approved as eligible  
 5 for such funding pursuant to section 2 of this act and section 1 of  
 6 P.L. , c. (C. ) (now before the Legislature as Senate Bill No.  
 7 1710 of 1996 or Assembly Bill No. 328 of 1996); and (2) providing  
 8 for up to 100% of the cost of acquisition of development easements  
 9 under such emergency conditions as the State Agriculture  
 10 Development Committee determines, for projects approved as eligible  
 11 for such funding pursuant to section 2 of this act and section 1 of  
 12 P.L. , c. (C. ) (now before the Legislature as Senate Bill No.  
 13 1710 of 1996 or Assembly Bill No. 328 of 1996).

15 2. The following projects are eligible for funding with the monies  
 16 appropriated or reappropriated pursuant to subsections a., b., c., and  
 17 d. of section 1 of this act:

19	<b>Project</b>	<b>County</b>	<b>Municipality</b>	<b>Acres</b>	<b>Amount of</b>
20	<b>(farm)</b>			<b>(+/-)</b>	<b>Grant Not</b>
21					<b>To Exceed</b>
22	Hall Estate	Burlington	North Hanover/ Chesterfield	222	\$525,000
23					
24	Croshaw	Burlington	North Hanover	185	475,000
25					
26	Rahilly	Burlington	Springfield	40	75,000
27					
28	Cape May/ Stites	Cape May	Dennis	35	75,000
29					
30	Cape May/ Conover	Cape May	Middle	29	100,000
31					
32	Cape May/ Hoff	Cape May	Middle	58	150,000
33					
34	Cape May/ Shivers	Cape May	Middle	173	325,000
35					
36	Kiefer	Cumberland	Greenwich	186	275,000
37					
38	Willis	Cumberland	Hopewell	216	325,000
39					
40	Dubois	Cumberland	Upper Deerfield	102	200,000
41					

1	Johnson Farms Ent.	Cumberland	Upper Deerfield	112	225,000
2					
3	Mae Partnership	Gloucester	Elk/ Harrison	317	550,000
4					
5	Sorbello	Gloucester	South Harrison	55	150,000
6					
7	Blasig, Jr.	Mercer	East Windsor	96	375,000
8					
9	Skeba	Mercer	East Windsor	60	300,000
10					
11	DiDonato	Mercer	Lawrence	84	600,000
12					
13	Hendrickson	Mercer	Lawrence	92	625,000
14					
15	Johnson	Mercer	Lawrence	65	475,000
16					
17	Blasig, Sr.	Mercer	Washington	46	200,000
18					
19	Washington Twp./	Mercer	Washington	85	325,000
20	Mercrock				
21	Concorde Stud	Monmouth	Upper Freehold	248	950,000
22					
23	Freiberger South	Monmouth	Upper Freehold	91	225,000
24					
25	Leonard, CP	Monmouth	Upper Freehold	395	1,725,000
26					
27	Red Bird Inc./	Ocean	Plumsted	128	300,000
28	C.W. Plan Inc.				
29	Myers	Salem	Upper Pittsgrove	292	500,000
30					

32 3. There is appropriated from the "1992 Farmland Preservation  
33 Fund," established pursuant to section 24 of the "Green Acres, Clean  
34 Water, Farmland and Historic Preservation Bond Act of 1992,"  
35 P.L.1992, c.88, to the State Agriculture Development Committee the  
36 sum of \$750,000 for the purpose of providing grants to landowners for  
37 up to 50% of the cost of soil and water conservation projects  
38 approved as eligible for such funding.

40 4. There is appropriated from the "1995 Farmland Preservation  
41 Fund," established pursuant to section 25 of the "Green Acres,

1 Farmland and Historic Preservation, and Blue Acres Bond Act of  
2 1995," P.L.1995, c.204, to the State Agriculture Development  
3 Committee the sum of \$1,000,000 for the purpose of providing for  
4 costs, as defined in section 3 of P.L.1995, c.204, incurred in  
5 implementing the provisions of the "Agriculture Retention and  
6 Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.).  
7

8 5. The expenditure of the sums appropriated or reappropriated by  
9 this act is subject to the provisions and conditions of P.L.1989, c.183,  
10 P.L.1992, c.88, or P.L.1995, c.204, as appropriate.  
11

12 6. This act shall take effect immediately.  
13  
14

#### 15 STATEMENT

16  
17 This bill would (1) appropriate \$15,284,000, and reappropriate  
18 \$2,788,000 (in unexpended balances from previous appropriations),  
19 from the "Green Acres, Clean Water, Farmland and Historic  
20 Preservation Bond Act of 1992," P.L.1992, c.88, and (2) reappropriate  
21 \$328,000 (in unexpended balances from previous appropriations), and  
22 appropriate \$2,675,000 (in interest earnings), from the "Open Space  
23 Preservation Bond Act of 1989," P.L.1989, c.183, for farmland  
24 preservation projects approved as eligible for funding pursuant to this  
25 bill with respect to such projects located in southern New Jersey and  
26 pursuant to a companion bill (Senate Bill No. 1710 of 1996 or  
27 Assembly Bill No. 328 of 1996) with respect to such projects located  
28 in northern New Jersey. Specifically, the sums appropriated or  
29 reappropriated would be utilized to: (1) provide grants to counties  
30 and municipalities for up to 80% of the cost of acquisition of  
31 development easements on farmland; and (2) provide for up to 100%  
32 of the cost of acquisition of development easements under such  
33 emergency conditions as the State Agriculture Development  
34 Committee determines, in accordance with the provisions of the bond  
35 acts.

36 This bill would also appropriate \$750,000 from the "Green Acres,  
37 Clean Water, Farmland and Historic Preservation Bond Act of 1992,"  
38 P.L.1992, c.88, to provide grants to qualifying farmland owners for up  
39 to 50% of the cost of soil and water conservation projects. With  
40 respect to soil and water conservation grants, neither the 1992 bond  
41 act nor the 1995 bond act requires identification of the particular  
42 projects to be funded by the appropriation bill; thus, the State  
43 Agriculture Development Committee would make the decisions with  
44 regard to which particular projects are to be funded with the monies  
45 appropriated by this bill for soil and water conservation grants.

46 Finally, the bill would also appropriate from the "Green Acres,

1 Farmland and Historic Preservation, and Blue Acres Bond Act of  
2 1995," P.L.1995, c.204, the sum of \$1 million to cover the costs, as  
3 defined in the bond act, incurred in implementing the "Agriculture  
4 Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.),  
5 which is the major law concerned with the farmland preservation and  
6 development easement purchase program in the State.

7 Thus, the total sum appropriated or reappropriated from various  
8 farmland preservation bond funds pursuant to the bill would be  
9 \$22,825,000.

10 The bill includes an appropriation of \$75,000 designated for the  
11 acquisition of a development easement on an additional approximately  
12 40 acres of the Rahilly farm in Burlington county, which is intended to  
13 supplement an earlier insufficient sum of \$350,000 (for approximately  
14 107 acres) in connection with that farm that was appropriated pursuant  
15 to P.L.1996, c.54.

16  
17  
18  
19  
20 Appropriates \$22.825 million from 1989, 1992, and 1995 bond acts  
21 for farmland preservation, soil and water conservation projects, and  
22 program implementation costs; approves funding of certain farmland  
23 preservation projects in southern NJ.