

# SENATE, No. 3226

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 7, 2020

**Sponsored by:**

**Senator DAWN MARIE ADDIEGO**

**District 8 (Atlantic, Burlington and Camden)**

**Senator CHRISTOPHER "KIP" BATEMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman JOHN ARMATO**

**District 2 (Atlantic)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Assemblyman ERIC HOUGHTALING**

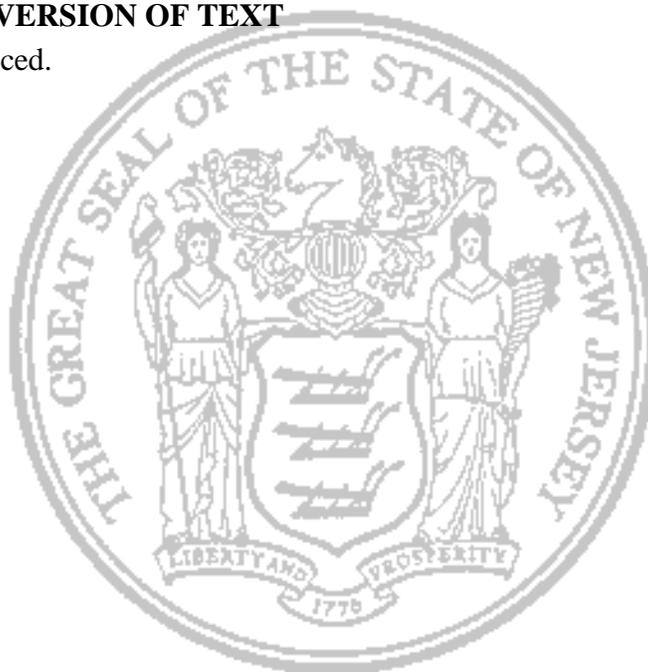
**District 11 (Monmouth)**

**SYNOPSIS**

Appropriates \$29,886,172 to State Agriculture Development Committee for farmland preservation purposes.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/17/2020)**

1 AN ACT appropriating \$29,886,172 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 \$23,298,172 in the following  
10 subtotal amounts, listed in paragraphs (1) through (5) 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) \$22,416,375 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) \$599,712 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) \$141,233 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;

41 (4) \$103,308 from the “Garden State Farmland Preservation  
42 Fund,” established pursuant to section 20 of P.L.1999, c.152  
43 (C.13:8C-20); and

44 (5) \$37,544 from the “1995 Farmland Preservation Fund,”  
45 established pursuant to section 25 of the “Green Acres, Farmland  
46 and Historic Preservation, and Blue Acres Bond Act of 1995,”  
47 P.L.1995, c.204.

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 \$2,253,000 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 \$4,335,000 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), as  
8 follows:

9 a. \$3,985,000 for the purpose of providing funding for  
10 organizational, administrative and other work and services,  
11 including salaries, equipment, materials, and services necessary to  
12 administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43  
13 et seq.);

14 b. \$250,000 for the purpose of providing funding for costs  
15 associated with the acquisition of development easements on  
16 farmland by the committee, including, but not limited to, appraisal,  
17 survey, and title costs; and

18 c. \$100,000 for the purpose of providing for the review of  
19 appraisals for farmland preservation programs administered by the  
20 committee pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.).

21

22 5. There is appropriated from the General Fund to the  
23 "Preserve New Jersey Farmland Preservation Fund," established  
24 pursuant to section 8 of the "Preserve New Jersey Act," P.L.2016,  
25 c.12 (C.13:8C-50), the sum of \$29,004,375 to implement the  
26 provisions of this act.

27

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

34

35 7. This act shall take effect immediately.

36

37

38

#### STATEMENT

39

40 This bill appropriates \$29,886,172 from various farmland  
41 preservation funds to the State Agriculture Development Committee  
42 (SADC) for certain farmland preservation purposes.

43 Of the funding provided by the bill, \$23,298,172 is appropriated  
44 to the SADC to pay the cost of acquisition by the SADC of  
45 development easements on, or fee simple titles to, farmland, to  
46 provide grants to counties and municipalities for up to 80 percent of  
47 the cost of acquisition of fee simple titles to farmland, and to  
48 provide grants to qualifying tax exempt nonprofit organizations for

1 up to 50 percent of the cost of acquisition of fee simple titles to  
2 farmland, for farmland preservation purposes for projects approved  
3 as eligible for such funding pursuant to: the “Agricultural  
4 Retention and Development Act”; the “Green Acres, Farmland and  
5 Historic Preservation, and Blue Acres Bond Act of 1995”; the  
6 “Garden State Preservation Trust Act”; the “Green Acres,  
7 Farmland, Blue Acres, and Historic Preservation Bond Act of  
8 2007”; the “Green Acres, Water Supply and Floodplain Protection,  
9 and Farmland and Historic Preservation Bond Act of 2009”; and the  
10 “Preserve New Jersey Act.”

11 Of the \$23,298,172 provided in section 1 of the bill for the  
12 acquisition of fee simple titles and development easements to  
13 farmland: \$22,416,375 is from constitutionally dedicated  
14 corporation business tax (CBT) revenues in the “Preserve New  
15 Jersey Farmland Preservation Fund” established pursuant to the  
16 “Preserve New Jersey Act”; \$599,712 is from the “2009 Farmland  
17 Preservation Fund” established pursuant to the “Green Acres, Water  
18 Supply and Floodplain Protection, and Farmland and Historic  
19 Preservation Bond Act of 2009”; \$141,233 is from the “2007  
20 Farmland Preservation Fund” established pursuant to the “Green  
21 Acres, Farmland, Blue Acres, and Historic Preservation Bond Act  
22 of 2007”; \$103,308 is from the “Garden State Farmland  
23 Preservation Fund” established pursuant to the “Garden State  
24 Preservation Trust Act”; and \$37,544 is from the “1995 Farmland  
25 Preservation Fund,” established pursuant to the “Green Acres,  
26 Farmland and Historic Preservation, and Blue Acres Bond Act of  
27 1995.”

28 In addition, this bill appropriates \$2,253,000 from the “Preserve  
29 New Jersey Farmland Preservation Fund” to the SADC for the  
30 purpose of providing stewardship grants for activities, beyond  
31 routine operation and maintenance, undertaken by landowners, or  
32 farm operators as agents for landowners, to repair, restore, or  
33 improve lands preserved for farmland preservation purposes,  
34 including soil and water conservation project activities and deer-  
35 fencing activities.

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

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

47 This bill also appropriates from the “Preserve New Jersey  
48 Farmland Preservation Fund” to the SADC: \$3,985,000 for

**S3226 ADDIEGO, BATEMAN**

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1 organizational, administrative, and other work and services,  
2 including salaries, equipment, materials, and services necessary to  
3 administer the applicable provisions of the “Preserve New Jersey  
4 Act”; \$250,000 for costs associated with administering the direct  
5 easement program; and \$100,000 for costs associated with the  
6 review of appraisals.

7 The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et  
8 seq.), implements the constitutional dedication of CBT revenues  
9 pursuant to Article VIII, Section II, paragraph 6 of the State  
10 Constitution, approved by the voters of the State in November  
11 2014, for open space, farmland, and historic preservation. The  
12 “Preserve New Jersey Farmland Preservation Fund” was established  
13 pursuant to section 8 of the “Preserve New Jersey Act.” Of the  
14 funding in this bill, \$29,004,375 is from these constitutionally  
15 dedicated CBT revenues.