

CHAPTER 73

AN ACT concerning farmland preservation, appropriating \$27,572,751 from the "Garden State Farmland Preservation Trust Fund" for farmland preservation purposes, canceling certain prior appropriations for withdrawn farmland preservation projects, appropriating \$341,278 from farmland preservation bond funds to provide grants for soil and water conservation projects, and amending P.L.1993, c.339.

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

1. a. There is appropriated from the "Garden State Farmland Preservation Trust Fund," established pursuant to section 20 of P.L.1999, c.152 (C.13:8C-20), to the State Agriculture Development Committee the following sums to pay the cost of acquisition by the committee of development easements on, or fee simple titles to, farmland, and to provide grants to counties and municipalities for up to 80% of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to the "Agriculture Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.) and the "Garden State Preservation Trust Act," P.L.1999, c.152 (C.13:8C-1 et seq.):

(1) \$14,600,000 from the "Garden State Farmland Preservation Trust Fund";

(2) \$12,900,000 from the "Garden State Farmland Preservation Trust Fund," made available due to project withdrawals, canceled obligations, and reallocation of previously appropriated monies for fee simple acquisitions; and

(3) \$72,751 from the "Garden State Farmland Preservation Trust Fund," made available from proceeds received from the resale or lease of farmland previously acquired in fee simple by the committee.

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

2. There is appropriated from the "Garden State Farmland Preservation Trust Fund," established pursuant to section 20 of P.L.1999, c.152 (C.13:8C-20), to the State Agriculture Development Committee such sums from any additional proceeds which may become available by the effective date of this act due to the resale or lease of farmland previously acquired in fee simple by the committee, for the purpose of providing for the cost of acquisition by the committee of fee simple titles to farmland for farmland preservation purposes. Any such farmland acquired in fee simple with moneys appropriated pursuant to this section shall be offered for resale or lease with agricultural deed restrictions approved by the committee.

3. Of the monies appropriated or reappropriated pursuant to P.L.2001, c.103, P.L.2001, c.104, P.L.2001, c.183, P.L.2001, c.306, P.L.2003, c.273, and P.L.2005, c.18 from the "Garden State Farmland Preservation Trust Fund," established pursuant to section 20 of P.L.1999, c.152 (C.13:8C-20), the sum of \$12,900,000 is canceled due to project withdrawals, canceled obligations, and the reallocation of previously appropriated monies for fee simple acquisitions.

4. The expenditure of the sums appropriated by sections 1 and 2 of this act is subject to the provisions and conditions of P.L.1999, c.152 (C.13:8C-1 et seq.) and P.L.1983, c.32 (C.4:1C-11 et seq.), as appropriate.

5. There is appropriated to the State Agriculture Development Committee the following sums for the purpose of providing grants to landowners for up to 50% of the cost of soil and water conservation projects approved as eligible for such funding:

a. \$93,944 from the "1989 Farmland Preservation Fund," established pursuant to section 22 of the "Open Space Preservation Bond Act of 1989," P.L.1989, c.183, made available due to interest earnings;

b. \$49,427 from the "1992 Farmland Preservation Fund," established pursuant to section 24 of the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," P.L.1992, c.88, made available due to interest earnings; and

c. \$197,907 from the "1995 Farmland Preservation Fund," established pursuant to section 25 of the "Green Acres, Farmland and Historic Preservation, and Blue Acres Bond Act of 1995," P.L.1995, c.204, made available due to interest earnings.

6. Section 8 of P.L.1993, c.339 is amended to read as follows:

8. a. There is appropriated to the State Transfer of Development Rights Bank from the "1989 Development Potential Transfer Bank Fund" established pursuant to section 23 of P.L.1989, c.183, the sum of \$20,000,000 for deposit into the State TDR Bank, which shall be expended in accordance with the provisions of P.L.1993, c.339 (C.4:1C-49 et al.).

b. Of the monies appropriated pursuant to subsection a. of this section, not more than \$1,500,000 may be expended in total for administrative costs, staff assistance or professional services, and not more than \$1,500,000 may be expended for the purposes of subsection m. of section 4 of P.L.1993, c.339 (C.4:1C-52).

(cf: P.L.2004, c.2, s.31)

7. This act shall take effect July 1, 2006 or on the date of enactment, whichever is later.

Approved August 2, 2006.