

CHAPTER 96

AN ACT concerning farmland preservation and appropriating monies from various farmland preservation bond funds and the “Garden State Farmland Preservation Trust Fund” for farmland preservation purposes.

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

1. a. There is appropriated from the “2007 Farmland Preservation Fund,” established pursuant to section 18 of the “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007,” P.L.2007, c.119, and 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, to provide grants to counties and municipalities for up to 80% of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax exempt nonprofit organizations for up to 50% 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.), “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), and “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007,” P.L.2007, c.119:

(1) \$2,000,000 from the “2007 Farmland Preservation Fund”;

(2) \$2,777,781 from the “Garden State Farmland Preservation Trust Fund,” made available due to project withdrawals, canceled obligations, and reallocation of monies previously appropriated for planning incentive grant acquisitions pursuant to P.L.2003, c.272, P.L.2005, c.16, P.L.2005, c.182, P.L.2006, c.74 or P.L.2007, c.185;

(3) \$5,534,701 from the “Garden State Farmland Preservation Trust Fund,” made available due to project withdrawals, canceled obligations, and reallocation of monies previously appropriated for fee simple acquisitions pursuant to P.L.2005, c.18; and

(4) \$538,196 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 monies 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 development easements and fee simple titles to farmland for farmland preservation purposes pursuant to subsection a. of section 1 of this act. Any farmland acquired in fee simple with monies appropriated pursuant to this section shall be offered for resale or lease with agricultural deed restrictions approved by the committee.

3. There is appropriated to the State Agriculture Development Committee such sums as may be or become available on or before June 30, 2009 due to interest earnings in the “Garden State Farmland Preservation Trust Fund,” established pursuant to section 20 of

P.L.1999, c.152 (C.13:8C-20), to pay for administrative costs incurred by the State Agriculture Development Committee in administering the farmland preservation program.

4. There is appropriated to the State Agriculture Development Committee the sum of \$200,000, made available due to interest earnings from the "Garden State Farmland Preservation Trust Fund," established pursuant to section 20 of P.L.1999, c.152 (C13:8C-20), to pay for costs incurred in the enforcement of deed of easement restrictions placed on lands preserved through the farmland preservation program. These costs shall include professional services that may be required, legal services and costs that may be incurred, and any other costs or services required to enforce a deed of easement.

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. \$13,211 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. \$28,750 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;

c. \$200,839 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; and

d. such additional funds as may become available by the effective date of this act due to interest earnings from the "1989 Farmland Preservation Fund," "1992 Farmland Preservation Fund," and "1995 Farmland Preservation Fund."

6. The expenditure of the sums appropriated by this act is subject to the provisions and conditions of P.L.2007, c.119, P.L.1999, c.180 (C.4:1C-43.1 et seq.), P.L.1999, c.152 (C.13:8C-1 et seq.), P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, and P.L.1983, c.32 (C.4:1C-11 et seq.), as appropriate.

7. This act shall take effect immediately.

Approved August 6, 2009.