

CHAPTER 224

AN ACT appropriating \$22,385,743 from various farmland preservation funds to the State Agriculture Development Committee for farmland preservation purposes.

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

1. a. There is appropriated to the State Agriculture Development Committee the sum of \$14,304,403 in the following subtotal amounts, listed in paragraphs (1) through (8) of this subsection, 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, to provide grants to qualifying tax-exempt non-profit 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 “Agricultural Retention and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the “Open Space Preservation Bond Act of 1989,” P.L.1989, c.183, the “Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992,” P.L.1992, c.88, the “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), the “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007,” P.L.2007, c.119, the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009,” P.L.2009, c.117, and the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.):

(1) \$1,796,660 from dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution in the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), and the unexpended balances in the Diesel Risk Mitigation Fund - Constitutional Dedication account made available for this purpose pursuant to the provisions of P.L.2016, c.10;

(2) \$5,149,166 from the “2009 Farmland Preservation Fund,” established pursuant to section 18 of the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009,” P.L.2009, c.117, made available due to project withdrawals, cancelled obligations, and the reallocation of previously appropriated funds;

(3) \$745,938 from the “2009 Farmland Preservation Fund,” made available due to condemnation of development easements acquired with previously appropriated funds;

(4) \$3,901,577 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, made available due to project withdrawals, canceled obligations, and the reallocation of previously appropriated funds;

(5) \$2,430,661 from the “Garden State Farmland Preservation Fund,” established pursuant to section 20 of P.L.1999, c.152 (C.13:8C-20), made available due to project withdrawals, canceled obligations, and the reallocation of previously appropriated funds;

(6) \$48,858 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;

(7) \$41,943 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; and

(8) \$189,600 from the “1989 Farmland Preservation Fund,” made available due to condemnation of development easements acquired with previously appropriated funds.

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 “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from the “2009 Farmland Preservation Fund,” established pursuant to section 18 of the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009,” P.L.2009, c.117, 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, from the “Garden State Farmland Preservation Trust Fund,” established pursuant to section 20 of P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,” established pursuant to the “Open Space – Local Match Program of the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45, 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, 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, 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, and from the “Farmland Preservation Fund,” established pursuant to section 5 of the “Farmland Preservation Bond Act of 1981,” P.L.1981, c.276, 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 lease or conveyance of land or development easements acquired or funded 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 from the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), to the State Agriculture Development Committee the sum of \$1,496,340 for the purpose of providing grants for stewardship activities as defined pursuant to section 3 of P.L.2016, c.12 (C.13:8C-45), including soil and water conservation project activities approved pursuant to section 17 of P.L.1983, c.32 (C.4:1C-24) and deer-fencing activities approved pursuant to section 5 of P.L.1983, c.32 (C.4:1C-5).

4. There is appropriated from the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), to the State Agriculture Development Committee the following sums:

a. \$6,200,000 for the purpose of providing funding for organizational, administrative and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43 et seq.);

b. \$150,000 for the purpose of providing for the review of appraisals for all farmland preservation programs administered by the committee pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.);

c. \$150,000 for the purpose of providing for legal advice and representation in connection with enforcement of development easements for all farmland preservation programs administered by the committee pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.); and

d. \$85,000 for the purpose of providing the committee's share of funding for the Garden State Preservation Trust's organizational, administrative and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43 et seq.).

5. There is appropriated from the General Fund to the "Preserve New Jersey Farmland Preservation Fund," established pursuant to section 8 of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), an amount determined by the State Treasurer to be necessary to implement the provisions of this act.

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

7. This act shall take effect immediately.

Approved August 7, 2017.