

ASSEMBLY, No. 5115

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 7, 2020

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

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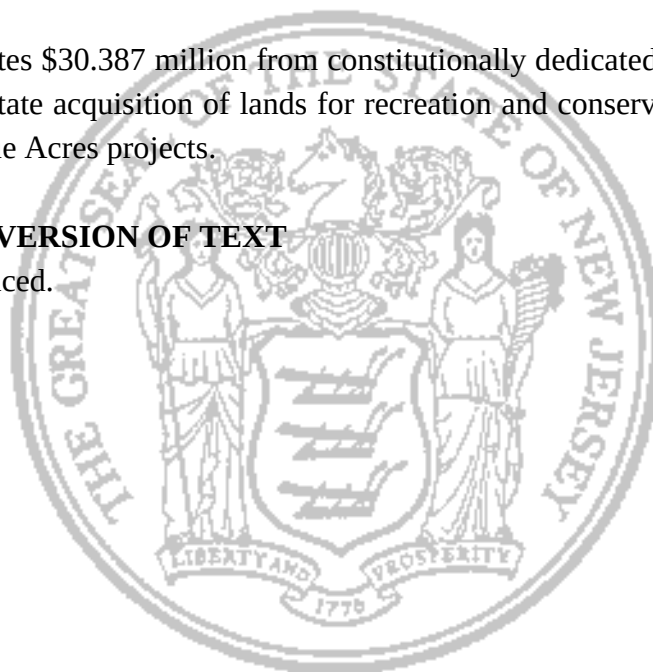
Assemblymen Benson, Karabinchak, Space, Wirths, Assemblywoman Murphy, Assemblymen Freiman, Scharfenberger, Houghtaling, Assemblywoman Downey, Assemblyman McKeon and Assemblywoman DiMaso

SYNOPSIS

Appropriates \$30.387 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/11/2021)

AN ACT appropriating \$30,387,000 from constitutionally dedicated corporation business tax revenues for the acquisition of lands by the State for recreation and conservation purposes and for Blue Acres projects.

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

1. a. There is appropriated to the Department of Environmental Protection the sum of \$27,348,300 from dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution in the “Preserve New Jersey Green Acres Fund,” established pursuant to section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-48), for the acquisition of lands by the State for recreation and conservation purposes in accordance with the provisions of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.).

b. The funds appropriated pursuant to subsection a. of this section shall be allocated as follows:

Project	County	Municipality	Amount
(1) CAPE MAY PENINSULA			\$5,500,000
	Cape May	Cape May City	
		Cape May Point Boro	
		Dennis Twp	
		Lower Twp	
		Middle Twp	
		Ocean City	
		Sea Isle City	
		Upper Twp	
		West Cape May Boro	
		Woodbine Boro	
(2) CROSSROADS OF THE AMERICAN REVOLUTION			3,000,000
	Bergen	Bogota Boro	
		Carlstadt Boro	
		East Rutherford Boro	
		Fort Lee Boro	
		Garfield City	
		Hackensack City	
		Hasbrouck Heights Boro	
		Leonida Boro	
		Little Ferry Boro	
		Lodi Boro	
		Lyndhurst Twp	
		Maywood Boro	
		Moonachie Boro	
		New Milford Boro	
		North Arlington Boro	
		Palisades Park Boro	
		Ridgefield Park Village	

A5115 MORIARTY, CONAWAY

3

1		River Edge Boro
2		Rochelle Park Twp
3		Rutherford Boro
4		South Hackensack Twp
5		Teterboro Boro
6		Wallington Boro
7		Wood-Ridge Boro
8		
9	Burlington	Beverly City
10		Bordentown City
11		Bordentown Twp
12		Burlington City
13		Burlington Twp
14		Edgewater Park Twp
15		Fieldsboro Boro
16		Florence Twp
17		Hainesport Twp
18		Mansfield Twp
19		Maple Shade Twp
20		Moorestown Twp
21		Mount Holly Twp
22		Mount Laurel Twp
23		Palmyra Boro
24		Riverside Twp
25		Riverton Boro
26		Springfield Twp
27		Westampton Twp
28		Willingboro Twp
29		
30	Camden	Audubon Boro
31		Audubon Park Boro
32		Brooklawn Boro
33		Camden City
34		Cherry Hill Twp
35		Collingswood Boro
36		Gloucester City
37		Haddon Heights Boro
38		Haddon Twp
39		Haddonfield Boro
40		Merchantville Boro
41		Mount Ephraim Boro
42		Oaklyn Boro
43		Pennsauken Twp
44		Woodlynne Boro
45		
46	Essex	Belleville Twp
47		Irvington Twp
48		Livingston Twp
49		Maplewood Twp
50		Millburn Twp
51		Newark City
52		Nutley Twp
53		
54	Gloucester	National Park Boro
55		West Deptford Twp
56		Westville Boro
57		
58	Hunterdon	Delaware Twp

A5115 MORIARTY, CONAWAY

4

1		East Amwell Twp
2		Flemington Boro
3		Franklin Twp
4		Frenchtown Boro
5		Kingwood Twp
6		Lambertville City
7		Raritan Twp
8		Readington Twp
9		Stockton Boro
10		West Amwell Twp
11		
12	Mercer	All municipalities
13		
14	Middlesex	All municipalities
15		
16	Monmouth	Aberdeen Twp
17		Allentown Boro
18		Colts Neck Twp
19		Englishtown Boro
20		Freehold Boro
21		Freehold Twp
22		Holmdel Twp
23		Manalapan Twp
24		Marlboro Twp
25		Matawan Boro
26		Millstone Twp
27		Roosevelt Boro
28		Upper Freehold Twp
29		Wall Twp
30		
31	Morris	Boonton Town
32		Boonton Twp
33		Butler Boro
34		Chatham Boro
35		Chatham Twp
36		Chester Boro
37		Denville Twp
38		Dover Town
39		East Hanover Twp
40		Florham Park Boro
41		Hanover Twp
42		Harding Twp
43		Kinnelon Boro
44		Lincoln Park Boro
45		Long Hill Twp
46		Madison Boro
47		Mendham Boro
48		Mendham Twp
49		Mine Hill Twp
50		Montville Twp
51		Morris Plains Boro
52		Morris Twp
53		Morristown Town
54		Mountain Lakes Boro
55		Parsippany-Troy Hills Twp
56		Pequannock Twp
57		Randolph Twp
58		Riverdale Boro

A5115 MORIARTY, CONAWAY

5

1		Rockaway Boro	
2		Rockaway Twp	
3		Victory Gardens Boro	
4		Wharton Boro	
5			
6	Passaic	Clifton City	
7		Passaic City	
8			
9	Somerset	All municipalities	
10			
11	Union	All municipalities	
12			
13	(3) DELAWARE AND RARITAN CANAL GREENWAY		1,000,000
14			
15	Hunterdon	Delaware Twp	
16		Kingwood Twp	
17		Lambertville City	
18		Stockton Boro	
19		West Amwell Twp	
20			
21	Mercer	Ewing Twp	
22		Hamilton Twp	
23		Hopewell Twp	
24		Lawrence Twp	
25		Princeton Boro	
26		Trenton City	
27			
28	Middlesex	New Brunswick City	
29		Plainsboro Twp	
30		South Brunswick Twp	
31			
32	Somerset	Franklin Twp	
33			
34	(4) DELAWARE BAY WATERSHED GREENWAY		3,000,000
35			
36	Atlantic	Buena Boro	
37		Buena Vista Twp	
38			
39	Cape May	Dennis Twp	
40		Lower Twp	
41		Middle Twp	
42		Upper Twp	
43			
44	Cumberland	All municipalities	
45			
46	Gloucester	Clayton Boro	
47		Elk Twp	
48		Franklin Twp	
49		Glassboro Boro	
50		Monroe Twp	
51		Newfield Boro	
52			
53	Salem	Alloway Twp	
54		Carneys Point Twp	
55		Elmer Boro	
56		Elsinboro Twp	
57		Lower Alloways Creek Twp	
58		Mannington Twp	

A5115 MORIARTY, CONAWAY

6

1		Oldmans Twp	
2		Pennsville Twp	
3		Pilesgrove Twp	
4		Pittsgrove Twp	
5		Quinton Twp	
6		Upper Pittsgrove Twp	
7		Woodstown Boro	
8			
9	(5) DELAWARE RIVER WATERSHED GREENWAY		1,500,000
10			
11	Burlington	Bordentown City	
12		Bordentown Twp	
13		Chesterfield Twp	
14		Cinnaminson Twp	
15		Delanco Twp	
16		Delran Twp	
17		Eastampton Twp	
18		Hainesport Twp	
19		Lumberton Twp	
20		Mansfield Twp	
21		Medford Twp	
22		Moorestown Twp	
23		Mount Holly Twp	
24		Mount Laurel Twp	
25		North Hanover Twp	
26		Pemberton Twp	
27		Riverside Twp	
28		Southampton Twp	
29		Springfield Twp	
30		Westampton Twp	
31		Willingboro Twp	
32			
33	Camden	Berlin Twp	
34		Camden City	
35		Clementon Boro	
36		Gibbsboro Boro	
37		Gloucester Twp	
38		Haddon Twp	
39		Lindenwold Boro	
40		Pine Hill Boro	
41		Voorhees Twp	
42			
43	Gloucester	Deptford Twp	
44		East Greenwich Twp	
45		Elk Twp	
46		Greenwich Twp	
47		Harrison Twp	
48		Logan Twp	
49		National Park Boro	
50		South Harrison Twp	
51		Westville Boro	
52		Woolwich Twp	
53		West Deptford Twp	
54			
55	Hunterdon	Alexandria Twp	
56		Delaware Twp	
57		Frenchtown Boro	
58		Kingwood Twp	

A5115 MORIARTY, CONAWAY

7

1		Lambertville City	
2		Stockton Boro	
3		West Amwell Twp	
4			
5	Mercer	Ewing Twp	
6		Hamilton Twp	
7		Hopewell Twp	
8		Robbinsville Twp	
9		Trenton City	
10			
11	Monmouth	Allentown Boro	
12		Millstone Twp	
13		Upper Freehold Twp	
14			
15	Ocean	Jackson Twp	
16		Plumsted Twp	
17			
18	Salem	Oldmans Twp	
19		Pilesgrove Twp	
20		Upper Pittsgrove Twp	
21			
22	(6) HIGHLANDS GREENWAY		3,348,300
23			
24	Bergen	Mahwah Twp	
25		Oakland Boro	
26			
27	Hunterdon	Alexandria Twp	
28		Bethlehem Twp	
29		Bloomsbury Boro	
30		Califon Boro	
31		Clinton Town	
32		Clinton Twp	
33		Glen Gardner Boro	
34		Hampton Boro	
35		High Bridge Boro	
36		Holland Twp	
37		Lebanon Boro	
38		Lebanon Twp	
39		Milford Boro	
40		Tewksbury Twp	
41		Union Twp	
42			
43	Morris	Boonton Town	
44		Boonton Twp	
45		Butler Boro	
46		Chester Boro	
47		Chester Twp	
48		Denville Twp	
49		Dover Town	
50		Hanover Twp	
51		Harding Twp	
52		Jefferson Twp	
53		Kinnelon Boro	
54		Mendham Boro	
55		Mendham Twp	
56		Mine Hill Twp	
57		Montville Twp	
58		Morris Plains Boro	

A5115 MORIARTY, CONAWAY

8

1		Morris Twp
2		Morristown Town
3		Mount Arlington Boro
4		Mount Olive Twp
5		Mountain Lakes Boro
6		Netcong Boro
7		Parsippany-Troy Hills Twp
8		Pequannock Twp
9		Randolph Twp
10		Riverdale Boro
11		Rockaway Boro
12		Rockaway Twp
13		Roxbury Twp
14		Victory Gardens Boro
15		Washington Twp
16		Wharton Boro
17		
18	Passaic	Bloomington Boro
19		Pompton Lakes Boro
20		Ringwood Boro
21		Wanaque Boro
22		West Milford Twp
23		
24	Somerset	Bedminster Twp
25		Bernards Twp
26		Bernardsville Boro
27		Far Hills Boro
28		Peapack-Gladstone Boro
29		
30	Sussex	Byram Twp
31		Franklin Boro
32		Green Twp
33		Hamburg Boro
34		Hardyston Twp
35		Hopatcong Boro
36		Ogdensburg Boro
37		Sparta Twp
38		Stanhope Boro
39		Vernon Twp
40		
41	Warren	Allamuchy Twp
42		Alpha Boro
43		Belvidere Town
44		Franklin Twp
45		Frelinghuysen Twp
46		Greenwich Twp
47		Hackettstown Town
48		Harmony Twp
49		Hope Twp
50		Independence Twp
51		Liberty Twp
52		Lopatcong Twp
53		Mansfield Twp
54		Oxford Twp
55		Phillipsburg Town
56		Pohatcong Twp
57		Washington Boro
58		Washington Twp

A5115 MORIARTY, CONAWAY

9

1		White Twp	
2			
3	(7) HISTORIC RESOURCES		2,000,000
4			
5	<i>Allaire State Park</i>		
6			
7	Monmouth	Howell Twp	
8		Wall Twp	
9			
10	<i>Fort Mott Officers Quarters</i>		
11			
12	Salem	Pennsville Twp	
13			
14	<i>Griggstown Muletenders Barracks</i>		
15			
16	Somerset	Franklin Twp	
17			
18	<i>Historic Sites</i>		
19			
20	Burlington	Medford Twp	
21			
22	Monmouth	Red Bank Boro	
23			
24	<i>Monmouth Battlefield</i>		
25			
26	Monmouth	Freehold Twp	
27		Manalapan Twp	
28			
29	<i>New Bridge Landing</i>		
30			
31	Bergen	New Milford Boro	
32		River Edge Boro	
33			
34	<i>Proprietary House</i>		
35			
36	Middlesex	Perth Amboy City	
37			
38	<i>Register Eligible Sites</i>		
39			
40	Somerset	Green Brook Twp	
41		Watchung Boro	
42			
43	<i>Rockingham Farmstead</i>		
44			
45	Somerset	Franklin Twp	
46			
47	<i>Twin Lights</i>		
48			
49	Monmouth	Highlands Boro	
50			
51	<i>Washington Crossing State Park</i>		
52			
53	Mercer	Ewing Twp	
54		Hopewell Twp	
55			
56	<i>Waterloo Village</i>		
57			
58	Sussex	Byram Twp	

A5115 MORIARTY, CONAWAY

10

1		Stanhope Boro	
2			
3	(8) PINELANDS		3,000,000
4			
5	Atlantic	Brigantine City	
6		Buena Boro	
7		Buena Vista Twp	
8		Corbin City	
9		Egg Harbor City	
10		Egg Harbor Twp	
11		Estell Manor City	
12		Folsom Boro	
13		Galloway Twp	
14		Hamilton Twp	
15		Hammonton Town	
16		Mullica Twp	
17		Port Republic City	
18		Weymouth Twp	
19			
20	Burlington	Bass River Twp	
21		Evesham Twp	
22		Medford Lakes Boro	
23		Medford Twp	
24		New Hanover Twp	
25		North Hanover Twp	
26		Pemberton Twp	
27		Shamong Twp	
28		Southampton Twp	
29		Springfield Twp	
30		Tabernacle Twp	
31		Washington Twp	
32		Woodland Twp	
33		Wrightstown Boro	
34			
35	Camden	Berlin Boro	
36		Berlin Twp	
37		Chesilhurst Boro	
38		Waterford Twp	
39		Winslow Twp	
40			
41	Cape May	Dennis Twp	
42		Middle Twp	
43		Upper Twp	
44		Woodbine Boro	
45			
46	Cumberland	Maurice River Twp	
47		Vineland City	
48			
49	Gloucester	Franklin Twp	
50		Monroe Twp	
51			
52	Ocean	Barnegat Twp	
53		Beachwood Boro	
54		Berkeley Twp	
55		Eagleswood Twp	
56		Jackson Twp	
57		Lacey Twp	
58		Lakehurst Boro	

A5115 MORIARTY, CONAWAY

11

1		Little Egg Harbor Twp	
2		Manchester Twp	
3		Ocean Twp	
4		Plumsted Twp	
5		South Toms River Boro	
6		Stafford Twp	
7		Toms River Twp	
8		Tuckerton Boro	
9			
10	(9) RIDGE AND VALLEY GREENWAY		5,000,000
11			
12	Sussex	Andover Boro	
13		Andover Twp	
14		Branchville Boro	
15		Frankford Twp	
16		Fredon Twp	
17		Green Twp	
18		Hampton Twp	
19		Lafayette Twp	
20		Montague Twp	
21		Newton Town	
22		Sandyston Twp	
23		Stillwater Twp	
24		Sussex Boro	
25		Walpack Twp	
26		Wantage Twp	
27			
28	Warren	Blairstown Twp	
29		Frelinghuysen Twp	
30		Hackettstown Town	
31		Hardwick Twp	
32		Hope Twp	
33		Knowlton Twp	
34		Liberty Twp	
35			
36	TOTAL		\$27,348,300

37

38 c. Any transfer of any funds, or change in project site, listed in

39 subsection b. of this section shall require the approval of the Joint

40 Budget Oversight Committee or its successor.

41 d. To the extent that moneys remain available after the projects

42 listed in subsection b. of this section are offered funding pursuant

43 thereto, any State project that previously received funding

44 appropriated or reappropriated from any Green Acres bond act, any

45 annual appropriations act, the Garden State Green Acres

46 Preservation Trust Fund, established pursuant to the “Garden State

47 Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), or the

48 “Preserve New Jersey Green Acres Fund,” established pursuant to

49 section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12

50 (C.13:8C-48), for recreation and conservation purposes shall be

51 eligible to receive additional funding, as determined by the

52 Department of Environmental Protection, subject to the approval of

53 the Joint Budget Oversight Committee or its successor.

For the purposes of this subsection, “Green Acres bond act” means P.L.2009, c.117, P.L.2007, c.119, P.L.1995, c.204, P.L.1992, c.88, and P.L.1989, c.183.

2. a. There is appropriated to the Department of Environmental Protection the sum of \$3,038,700 from dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution in the “Preserve New Jersey Green Acres Fund,” established pursuant to section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-48), for the acquisition, for recreation and conservation purposes, of lands throughout the State that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage.

b. The funds appropriated pursuant to subsection a. of this section shall be allocated as follows:

Project	County	Municipality	Amount
BLUE ACRES			\$3,038,700
	Every county	Every municipality	
TOTAL			\$3,038,700

c. The expenditure of moneys appropriated pursuant to this section is subject to the provisions of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.).

3. a. There is reappropriated to the Department of Environmental Protection the unexpended balances, due to project cancellations or cost savings, of the amounts appropriated or reappropriated from this act, any Green Acres bond act, any annual appropriations act, the Garden State Green Acres Preservation Trust Fund, established pursuant to the “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), or the “Preserve New Jersey Green Acres Fund,” established pursuant to section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-48), for State projects to acquire or develop lands for recreation and conservation purposes, for the purpose of providing additional funding, as determined by the Department of Environmental Protection, to any State project that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, the Garden State Green Acres Preservation Trust Fund, or the “Preserve New Jersey Green Acres Fund” for recreation and conservation purposes or that receives funding approved pursuant to section 1 of this act, subject to the approval of the Joint Budget Oversight Committee or its successor. Any such

1 additional funding provided from a Green Acres bond act may
2 include administrative costs.

3 b. For the purposes of this section, “Green Acres bond act”
4 means P.L.2009, c.117, P.L.2007, c.119, P.L.1995, c.204, P.L.1992,
5 c.88, and P.L.1989, c.183.

6
7 4. There is appropriated from the General Fund to the
8 “Preserve New Jersey Green Acres Fund,” established pursuant to
9 section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12
10 (C.13:8C-48), the sum of \$30,387,000 to implement the provisions
11 of this act.

12
13 5. This act shall take effect immediately.

14
15
16 STATEMENT

17
18 This bill appropriates the sum of \$30,387,000 to the Department
19 of Environmental Protection (DEP) to provide funding for the
20 acquisition by the State of lands for recreation and conservation
21 purposes, including for Blue Acres projects, pursuant to the
22 “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.).

23 The funding in this bill is provided from constitutionally
24 dedicated corporation business tax (CBT) revenues pursuant to
25 Article VIII, Section II, paragraph 6 of the State Constitution,
26 approved by the voters of the State in November 2014. The
27 “Preserve New Jersey Act” implements the constitutional
28 dedication of CBT revenues for open space, farmland, and historic
29 preservation. The act provides that a certain amount of the portion
30 of dedicated CBT revenues allocated each year for the Green Acres
31 program is to be used for: the acquisition of lands for open space,
32 including Blue Acres projects, and development projects on State
33 lands administered by the DEP’s Division of Fish and Wildlife and
34 Division of Parks and Forestry; grants and loans to fund local
35 government open space acquisition and development projects; and
36 grants to nonprofit entities to acquire or develop lands for
37 recreation and conservation purposes. This bill appropriates
38 moneys for State open space acquisition projects, including for Blue
39 Acres projects.

40 Specifically, this bill appropriates \$27,348,300 to the DEP from
41 the “Preserve New Jersey Green Acres Fund” to provide funding for
42 the acquisition by the State of lands for recreation and conservation
43 purposes. This appropriation allocates funding for the acquisition
44 by the State of lands for recreation and conservation purposes in
45 nine project categories throughout the State. In addition, this bill
46 appropriates \$3,038,700 to the DEP to provide funding for the
47 acquisition by the State, for recreation and conservation purposes,
48 of properties throughout the State that are prone to or have incurred

1 flood or storm damage, or that may buffer or protect other lands
2 from such damage, i.e., “Blue Acres” projects.

3 The “Preserve New Jersey Green Acres Fund” was established
4 by section 6 of the “Preserve New Jersey Act.” P.L.2019, c.136
5 amended the “Preserve New Jersey Act” to incorporate the purposes
6 of the “Preserve New Jersey Blue Acres Fund” into the “Preserve
7 New Jersey Green Acres Fund,” rather than having two separate
8 funds, both providing moneys to the DEP’s Green Acres program
9 for the acquisition of lands for recreation and conservation
10 purposes. Of the funding allocated for the acquisition of lands for
11 recreation and conservation purposes by the State, a minimum of 10
12 percent is to be allocated for Blue Acres projects.

13 The projects and appropriations listed in this bill have been
14 approved by the DEP and the Garden State Preservation Trust.

15 Lastly, the bill authorizes the department to re-distribute certain
16 other moneys made available by project cancellations or cost
17 savings to provide additional funding, for recreation and
18 conservation purposes, to previously approved and funded State
19 projects, subject to the approval of the Joint Budget Oversight
20 Committee. The bill provides that the additional funding, if
21 provided from a Green Acres bond act, may include administrative
22 costs.