

P.L. 2021, CHAPTER 488, *approved January 18, 2022*
Assembly, No. 6208

1 **AN ACT** appropriating \$60,940,361 from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.

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

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8 1. a. There is appropriated to the State Agriculture Development
9 Committee the sum of \$45,515,361 in the amounts, set forth in
10 paragraphs (1) through (2) of this subsection, to pay the cost of
11 acquisition by the committee of development easements on, or fee
12 simple titles to, farmland, to provide grants to counties and
13 municipalities for up to 80 percent of the cost of acquisition of fee
14 simple titles to farmland, to provide grants to qualifying tax-exempt
15 non-profit organizations for up to 50 percent of the cost of
16 acquisition of fee simple titles to farmland, for farmland
17 preservation purposes for projects approved as eligible for such
18 funding pursuant to the “Agricultural Retention and Development
19 Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the “Garden State
20 Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), and
21 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
22 seq.):

23 (1) \$45,328,760 from dedicated corporation business tax
24 revenues pursuant to Article VIII, Section II, paragraph 6 of the
25 State Constitution from the “Preserve New Jersey Farmland
26 Preservation Fund,” established pursuant to section 8 of the
27 “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50). Of the
28 amount appropriated pursuant to this paragraph, the sum of
29 \$3,578,886 is available due to interest earnings on the dedicated
30 corporation business tax revenues pursuant to Article VIII, Section
31 II, paragraph 6 of the State Constitution; and

32 (2) \$186,601 from the “Garden State Farmland Preservation
33 Fund,” established pursuant to section 20 of P.L.1999, c.152
34 (C.13:8C-20).

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

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39 2. There is appropriated from the “Preserve New Jersey
40 Farmland Preservation Fund,” established pursuant to section 8 of
41 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
42 the “2009 Farmland Preservation Fund,” established pursuant to
43 section 18 of the “Green Acres, Water Supply and Floodplain
44 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 to the State Agriculture Development Committee the sum of \$3,325,000 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), 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).

Of the amount appropriated pursuant to this section, the sum of \$126,241 is available due to interest earnings on the dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution.

4. There is appropriated to the State Agriculture Development Committee the sum of \$12,100,000 from the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of

1 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), as
2 follows:

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

8 b. \$1,000,000 for the purpose of providing funding for costs
9 associated with the acquisition of development easements on
10 farmland by the committee, including, but not limited to, appraisal,
11 survey, and title costs;

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

15 d. \$1,000,000 for the purpose of providing planning grants to
16 counties and municipalities for the development of a farmland
17 preservation plan element for the farmland preservation planning
18 incentive grant program established pursuant to section 1 of
19 P.L.1999, c.180 (C.4:1C-43.1).

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21 5. There is appropriated from the General Fund to the
22 “Preserve New Jersey Farmland Preservation Fund,” established
23 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
24 c.12 (C.13:8C-50), the sum of \$60,753,760 to implement the
25 provisions of this act.

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

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34 7. This act shall take effect immediately.

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STATEMENT

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39 This bill appropriates \$60,940,361 from various farmland
40 preservation funds to the State Agriculture Development Committee
41 (SADC) for certain farmland preservation purposes.

42 Of the funding provided by the bill, \$45,515,361 is appropriated
43 to the SADC to pay the cost of acquisition by the SADC of
44 development easements on, or fee simple titles to, farmland, to
45 provide grants to counties and municipalities for up to 80 percent of
46 the cost of acquisition of fee simple titles to farmland, and to
47 provide grants to qualifying tax exempt nonprofit organizations for
48 up to 50 percent of the cost of acquisition of fee simple titles to

1 farmland, for farmland preservation purposes for projects approved
2 as eligible for such funding pursuant to: the “Agricultural
3 Retention and Development Act”; the “Garden State Preservation
4 Trust Act”; and the “Preserve New Jersey Act.”

5 Of the \$45,515,361 provided in section 1 of the bill for the
6 acquisition of fee simple titles and development easements to
7 farmland: \$45,328,760 is from constitutionally dedicated
8 corporation business tax (CBT) revenues in the “Preserve New
9 Jersey Farmland Preservation Fund” established pursuant to the
10 “Preserve New Jersey Act” and \$186,601 is from the “Garden State
11 Farmland Preservation Fund” established pursuant to the “Garden
12 State Preservation Trust Act.”

13 In addition, this bill appropriates \$3,325,000 from the “Preserve
14 New Jersey Farmland Preservation Fund” to the SADC for the
15 purpose of providing stewardship grants for activities, beyond
16 routine operation and maintenance, undertaken by landowners, or
17 farm operators as agents for landowners, to repair, restore, or
18 improve lands preserved for farmland preservation purposes,
19 including soil and water conservation project activities and deer-
20 fencing activities.

21 The appropriations in this bill for the acquisition of fee simple
22 titles and development easements to farmland and for stewardship
23 grants have been approved by the SADC and the Garden State
24 Preservation Trust.

25 The bill also appropriates to the SADC such sums from any
26 additional proceeds which may become available by the effective
27 date of the bill due to the lease or conveyance of farmland
28 previously acquired in fee simple by the SADC, for the purpose of
29 providing for the cost of acquisition by the SADC of development
30 easements and fee simple titles to farmland for farmland
31 preservation purposes.

32 This bill also appropriates from the “Preserve New Jersey
33 Farmland Preservation Fund” to the SADC: \$10 million for
34 organizational, administrative, and other work and services,
35 including salaries, equipment, materials, and services necessary to
36 administer the applicable provisions of the “Preserve New Jersey
37 Act”; \$1 million for costs associated with administering the direct
38 easement program; \$100,000 for costs associated with the review of
39 appraisals; and \$1 million for the purpose of providing grants to
40 counties and municipalities for the development of farmland
41 preservation plan elements as required by law for the farmland
42 preservation planning incentive grant program.

43 The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
44 seq.), implements the constitutional dedication of CBT revenues
45 pursuant to Article VIII, Section II, paragraph 6 of the State
46 Constitution, approved by the voters of the State in November
47 2014, for open space, farmland, and historic preservation. The
48 “Preserve New Jersey Farmland Preservation Fund” was established

1 pursuant to section 8 of the “Preserve New Jersey Act.” Of the
2 funding in this bill, \$60,753,760 is from these constitutionally
3 dedicated CBT revenues.

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8 Appropriates \$60,940,361 from constitutionally dedicated CBT
9 revenues to State Agriculture Development Committee for farmland
10 preservation purposes.