

13:8C-23

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2000 **CHAPTER:** 10
NJSA: 13:8C-23 (Garden State Preservation Trust)
BILL NO: A47 (Substituted for S1027)
SPONSOR(S): Corodemus and Gibson
DATE INTRODUCED: January 20, 2000
COMMITTEE: **ASSEMBLY:** Agriculture and Natural Resources; Appropriations
SENATE: Budget and Appropriations
AMENDED DURING PASSAGE: No
DATE OF PASSAGE: **ASSEMBLY:** February 24, 2000
SENATE: March 23, 2000
DATE OF APPROVAL: April 6, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original

A47

SPONSORS STATEMENT: (Begins on page 6 of original bill)	Yes	
COMMITTEE STATEMENT:	ASSEMBLY:	Yes 1-24-00 (Agriculture)
		Yes 1-27-00 (Appropriations)
	SENATE:	Yes
FLOOR AMENDMENT STATEMENTS:		No
LEGISLATIVE FISCAL ESTIMATE:		No

S1027

SPONSORS STATEMENT: (Begins on page 6 of original bill)	Yes	
	Bill and Sponsor Statement identical to A47	
COMMITTEE STATEMENT:	ASSEMBLY:	No
	SENATE:	Yes 2-17-00 (Environment)
		Yes 3-20-00 (Budget)
FLOOR AMENDMENT STATEMENTS:		No
LEGISLATIVE FISCAL ESTIMATE:		No
VETO MESSAGE:		No
GOVERNOR'S PRESS RELEASE ON SIGNING:		Yes

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 47

STATE OF NEW JERSEY

DATED: JANUARY 24, 2000

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 47.

This bill would amend the "Garden State Preservation Trust Act" to clarify that the \$200 million total annual spending cap for open space and farmland preservation projects approved by the Garden State Preservation Trust applies only to funding appropriated from the Garden State Green Acres Preservation Trust Fund and the Garden State Farmland Preservation Trust Fund, and not to funding provided from prior Green Acres bond acts.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 47

STATE OF NEW JERSEY

DATED: JANUARY 27, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill No. 47.

Assembly Bill No. 47 amends the "Garden State Preservation Trust Act" to clarify that the \$200 million total annual spending cap for open space and farmland preservation projects approved by the Garden State Preservation Trust applies only to funding appropriated from the Garden State Green Acres Preservation Trust Fund and the Garden State Farmland Preservation Trust Fund, and does not apply to funding provided from prior Green Acres bond acts.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note; it has no necessary impact on State revenues or expenditures.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 47

STATE OF NEW JERSEY

DATED: MARCH 20, 2000

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 47.

This bill would amend the "Garden State Preservation Trust Act" to clarify that the \$200 million total annual appropriations cap for open space and farmland preservation projects approved by the Garden State Preservation Trust (GSPT) applies only to funding appropriated from the Garden State Green Acres Preservation Trust Fund and the Garden State Farmland Preservation Trust Fund, and not to funding provided from prior Green Acres bond acts.

This bill is identical to Senate Bill No. 1027, also reported this day by the committee.

FISCAL IMPACT

With the removal, under this bill, of reappropriations of prior Green Acres bond moneys from coverage under the cap on appropriations for GSPT open space and farmland preservation projects, the Trust would be able to fund \$200 million of such projects entirely from funding authorized under the Trust Act alone, leaving the prior bond act moneys available for appropriation through the two preservation trust funds for additional projects. In the most recent year for which information is available, the amount of the proceeds from repayment of loans funded from those "old" bond moneys was \$13.5 million.

ASSEMBLY, No. 47

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JANUARY 20, 2000

Sponsored by:

Assemblyman STEVE CORODEMUS

District 11 (Monmouth)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Assemblymen LeFevre, Gregg, Senators McNamara and DiFrancesco

SYNOPSIS

Modifies \$200 million annual spending cap for open space and farmland preservation projects approved by Garden State Preservation Trust.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/24/2000)

A47 CORODEMUS, GIBSON

2

1 AN ACT concerning the Garden State Preservation Trust and
2 amending P.L.1999, c.152.

3

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

6

7 1. Section 23 of P.L.1999, c.152 (C.13:8C-23) is amended to read
8 as follows:

9 23. a. (1) At least twice each State fiscal year, the Department of
10 Environmental Protection shall submit to the trust a list of projects
11 that the department recommends to receive funding from: the Garden
12 State Green Acres Preservation Trust Fund, based upon a priority
13 system, ranking criteria, and funding policies established by the
14 department pursuant to this act; or any Green Acres bond act with
15 respect to moneys allocated therein for appropriation for the purpose
16 of acquiring or developing lands for recreation and conservation
17 purposes, based upon a priority system, ranking criteria, and funding
18 policies established by the department pursuant to law and any rules
19 or regulations adopted pursuant thereto.

20 To the extent the department receives a sufficient number of
21 applications from local government units for the funding of projects to
22 acquire or develop, for recreation and conservation purposes, lands
23 located in municipalities eligible to receive State aid pursuant to
24 P.L.1978, c.14 (C.52:27D-178 et seq.), and those projects qualify for
25 funding based upon the priority system, ranking criteria, and funding
26 policies established by the department, in any State fiscal year the
27 percentage of funding from the Garden State Green Acres Preservation
28 Trust Fund for such projects recommended by the department shall be
29 substantially equivalent to or greater than the percentage derived by
30 dividing the total amount allocated pursuant to P.L.1983, c.354,
31 P.L.1987, c.265, P.L.1989, c.183, P.L.1992, c.88, and P.L.1995,
32 c.204, for local government unit projects for recreation and
33 conservation purposes in municipalities eligible to receive State aid
34 pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.) by the total amount
35 allocated pursuant to P.L.1983, c.354, P.L.1987, c.265, P.L.1989,
36 c.183, P.L.1992, c.88, and P.L.1995, c.204, for all local government
37 unit projects for recreation and conservation purposes. In any State
38 fiscal year, not less than 20% of the total amount of funding from the
39 Garden State Green Acres Preservation Trust Fund for all State
40 projects to acquire and develop lands for recreation and conservation
41 purposes throughout the State recommended by the department shall
42 be for State projects located in highly populated counties of the State
43 with population densities of at least 1,000 persons per square mile

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 according to the latest federal decennial census.

2 The trust shall review the list and may make such deletions, but not
3 additions, of projects therefrom as it deems appropriate and in
4 accordance with the procedures established for such deletions pursuant
5 to subsection d. of this section, whereupon the trust shall approve the
6 list. At least twice each State fiscal year: (a) the trust shall prepare,
7 and submit to the Governor and to the President of the Senate and the
8 Speaker of the General Assembly for introduction in the Legislature,
9 proposed legislation appropriating moneys from the Garden State
10 Green Acres Preservation Trust Fund, or from any Green Acres bond
11 act with respect to moneys allocated therein for appropriation for the
12 purpose of acquiring or developing lands for recreation and
13 conservation purposes, to fund projects on any such list; and (b) the
14 Legislature may approve one or more appropriation ~~[acts]~~ bills
15 containing a project list or lists submitted by the trust pursuant to this
16 paragraph.

17 (2) Any act appropriating moneys from the Garden State Green
18 Acres Preservation Trust Fund, or from any Green Acres bond act
19 with respect to moneys allocated therein for appropriation for the
20 purpose of acquiring or developing lands for recreation and
21 conservation purposes, shall identify the particular project or projects
22 to be funded by those moneys, and any expenditure for a project for
23 which the location is not identified by county and municipality in the
24 appropriation shall require the approval of the Joint Budget Oversight
25 Committee or its successor.

26 Moneys may be appropriated to a local government unit that has
27 prepared and adopted an open space acquisition and development plan
28 approved by the department, or to a qualifying tax exempt nonprofit
29 organization that in cooperation and with the approval of a local
30 government unit is implementing or assisting in the implementation of
31 an open space acquisition and development plan adopted by the local
32 government unit and approved by the department, without identifying
33 in the act the particular project or projects to be funded, provided that
34 the appropriation will be expended in accordance with that approved
35 plan and, with respect to Green Acres bond act moneys, the
36 appropriation in that form is not inconsistent with the Green Acres
37 bond act.

38 (3) Any transfer of moneys appropriated from the Garden State
39 Green Acres Preservation Trust Fund, or from any Green Acres bond
40 act with respect to moneys allocated therein for appropriation for the
41 purpose of acquiring or developing lands for recreation and
42 conservation purposes, or any change in project sponsor, site, or type
43 that has received an appropriation from the fund or from a Green
44 Acres bond act, shall require the approval of the Joint Budget
45 Oversight Committee or its successor but shall not require the
46 approval of the Garden State Preservation Trust.

1 b. (1) At least twice each State fiscal year, the State Agriculture
2 Development Committee shall submit to the trust a list of projects that
3 the committee recommends to receive funding from the Garden State
4 Farmland Preservation Trust Fund, based upon a priority system,
5 ranking criteria, and funding policies established by the committee
6 pursuant to this act and the "Agriculture Retention and Development
7 Act," P.L.1983, c.32 (C.4:1C-11 et seq.), and any rules or regulations
8 adopted pursuant thereto. The trust shall review the list and may
9 make such deletions, but not additions, of projects therefrom as it
10 deems appropriate and in accordance with the procedures established
11 for such deletions pursuant to subsection d. of this section, whereupon
12 the trust shall approve the list. At least twice each State fiscal year:
13 (a) the trust shall prepare, and submit to the Governor and to the
14 President of the Senate and the Speaker of the General Assembly for
15 introduction in the Legislature, proposed legislation appropriating
16 moneys from the Garden State Farmland Preservation Trust Fund to
17 fund projects on any such list; and (b) the Legislature may approve one
18 or more appropriation [acts] bills containing a project list or lists
19 submitted by the trust pursuant to this paragraph.

20 (2) Any act appropriating moneys from the Garden State Farmland
21 Preservation Trust Fund shall identify the particular project or projects
22 to be funded with those moneys, and any expenditure for a project for
23 which the location is not identified by county and municipality in the
24 appropriation shall require the approval of the Joint Budget Oversight
25 Committee or its successor.

26 Notwithstanding the provisions of this paragraph to the contrary,
27 any appropriation of moneys from the fund to pay the cost of
28 acquisition of a fee simple title to farmland shall not be required to
29 identify the particular project or identify its location by county or
30 municipality, and the expenditure of those moneys shall not require the
31 approval of the Joint Budget Oversight Committee or its successor.

32 (3) Any transfer of moneys appropriated from the Garden State
33 Farmland Preservation Trust Fund, or change in project sponsor, site,
34 or type that has received an appropriation from the fund, shall require
35 the approval of the Joint Budget Oversight Committee or its successor
36 but shall not require the approval of the Garden State Preservation
37 Trust.

38 c. (1) At least once each State fiscal year, or at such other interval
39 as the New Jersey Historic Trust in consultation with the Garden State
40 Preservation Trust deems appropriate, the New Jersey Historic Trust
41 shall submit to the Garden State Preservation Trust a list of projects
42 that the New Jersey Historic Trust recommends to receive funding
43 from the Garden State Historic Preservation Trust Fund, based upon
44 a priority system, ranking criteria, and funding policies established by
45 the New Jersey Historic Trust pursuant to this act and P.L.1967, c.124
46 (C.13:1B-15.111 et al.), and any rules or regulations adopted pursuant

1 thereto. The Garden State Preservation Trust shall review the list and
2 may make such deletions, but not additions, of projects therefrom as
3 it deems appropriate and in accordance with the procedures
4 established for such deletions pursuant to subsection d. of this section,
5 whereupon the Garden State Preservation Trust shall approve the list.
6 At least once each State fiscal year, or at such other interval as the
7 Garden State Preservation Trust in consultation with the New Jersey
8 Historic Trust deems appropriate: (a) the Garden State Preservation
9 Trust shall prepare, and submit to the Governor and to the President
10 of the Senate and the Speaker of the General Assembly for
11 introduction in the Legislature, proposed legislation appropriating
12 moneys from the Garden State Historic Preservation Trust Fund to
13 fund projects on any such list; and (b) the Legislature may approve one
14 or more appropriation [acts] bills containing a project list or lists
15 submitted by the Garden State Preservation Trust pursuant to this
16 paragraph.

17 (2) Any act appropriating moneys from the Garden State Historic
18 Preservation Trust Fund shall identify the particular project or projects
19 to be funded by those moneys, and any expenditure for a project for
20 which the location is not identified by county and municipality in the
21 appropriation shall require the approval of the Joint Budget Oversight
22 Committee or its successor.

23 (3) Any transfer of moneys appropriated from the Garden State
24 Historic Preservation Trust Fund, or change in project sponsor, site,
25 or type that has received an appropriation from the fund, shall require
26 the approval of the Joint Budget Oversight Committee or its successor
27 but shall not require the approval of the Garden State Preservation
28 Trust.

29 d. Whenever the Garden State Preservation Trust deletes a project
30 from a list of projects that has been submitted to the Garden State
31 Preservation Trust pursuant to subsection a., b., or c. of this section,
32 the Garden State Preservation Trust shall, in consultation with the
33 applicant and the department, the committee, or the New Jersey
34 Historic Trust, as the case may be, review and reevaluate the merits
35 and validity of the project. After completion of this review and
36 reevaluation, if the department, committee, or New Jersey Historic
37 Trust, as the case may be, continues to recommend funding of the
38 project, it shall transmit its reasons therefor in writing to the Garden
39 State Preservation Trust and place the project on the next or a
40 subsequent list of projects submitted to the Garden State Preservation
41 Trust pursuant to subsection a., b., or c. of this section. The Garden
42 State Preservation Trust shall include the project in the next proposed
43 legislation appropriating moneys from the Garden State Green Acres
44 Preservation Trust Fund, Green Acres bond act, Garden State
45 Farmland Preservation Trust Fund, or Garden State Historic
46 Preservation Trust Fund, as the case may be, that is submitted to the

1 Governor, President of the Senate, and Speaker of the General
2 Assembly pursuant to subsection a., b., or c. of this section, together
3 with a written report setting forth the rationale of the Garden State
4 Preservation Trust in recommending deletion of the project from the
5 proposed legislation and the rationale of the department, committee,
6 or New Jersey Historic Trust, as the case may be, in recommending
7 retention of the project in the proposed legislation.

8 e. The Garden State Preservation Trust may at any time suggest
9 projects to be considered or rejected for consideration by the
10 department, the committee, or the New Jersey Historic Trust in the
11 preparation of recommended project funding lists pursuant to this
12 section.

13 f. Projects involving the joint effort of more than one level of
14 government or qualifying tax exempt nonprofit organization, or the
15 joint effort of the department, the committee, and the New Jersey
16 Historic Trust, or any combination thereof, shall be encouraged.

17 g. For the purposes of efficiency and convenience, nothing in this
18 section shall prohibit the Garden State Preservation Trust from
19 combining the project lists, in whole or in part, of the department,
20 committee, and New Jersey Historic Trust into one proposed
21 appropriation bill or bills to be submitted to the Governor and
22 Legislature for consideration and enactment into law as otherwise
23 prescribed pursuant to this section.

24 h. The total amount appropriated in any State fiscal year from the
25 Garden State Green Acres Preservation Trust Fund and the Garden
26 State Farmland Preservation Trust Fund for proposed projects
27 pursuant to subsections a. and b. of this section [in any State fiscal
28 year] shall not exceed \$200,000,000.

29 (cf: P.L.1999, c.152, s.23)

30
31 2. This act shall take effect immediately.

32
33
34 STATEMENT

35
36 This bill would amend the "Garden State Preservation Trust Act"
37 to clarify that the \$200 million total annual spending cap for open
38 space and farmland preservation projects approved by the Garden
39 State Preservation Trust applies only to funding appropriated from the
40 Garden State Green Acres Preservation Trust Fund and the Garden
41 State Farmland Preservation Trust Fund, and not to funding provided
42 from prior Green Acres bond acts.

P.L. 2000, CHAPTER 10, *approved April 6, 2000*
Assembly, No. 47

1 **AN ACT** concerning the Garden State Preservation Trust and
2 amending P.L.1999, c.152.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 23 of P.L.1999, c.152 (C.13:8C-23) is amended to read
8 as follows:

9 23. a. (1) At least twice each State fiscal year, the Department of
10 Environmental Protection shall submit to the trust a list of projects
11 that the department recommends to receive funding from: the Garden
12 State Green Acres Preservation Trust Fund, based upon a priority
13 system, ranking criteria, and funding policies established by the
14 department pursuant to this act; or any Green Acres bond act with
15 respect to moneys allocated therein for appropriation for the purpose
16 of acquiring or developing lands for recreation and conservation
17 purposes, based upon a priority system, ranking criteria, and funding
18 policies established by the department pursuant to law and any rules
19 or regulations adopted pursuant thereto.

20 To the extent the department receives a sufficient number of
21 applications from local government units for the funding of projects to
22 acquire or develop, for recreation and conservation purposes, lands
23 located in municipalities eligible to receive State aid pursuant to
24 P.L.1978, c.14 (C.52:27D-178 et seq.), and those projects qualify for
25 funding based upon the priority system, ranking criteria, and funding
26 policies established by the department, in any State fiscal year the
27 percentage of funding from the Garden State Green Acres Preservation
28 Trust Fund for such projects recommended by the department shall be
29 substantially equivalent to or greater than the percentage derived by
30 dividing the total amount allocated pursuant to P.L.1983, c.354,
31 P.L.1987, c.265, P.L.1989, c.183, P.L.1992, c.88, and P.L.1995,
32 c.204, for local government unit projects for recreation and
33 conservation purposes in municipalities eligible to receive State aid
34 pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.) by the total amount
35 allocated pursuant to P.L.1983, c.354, P.L.1987, c.265, P.L.1989,
36 c.183, P.L.1992, c.88, and P.L.1995, c.204, for all local government
37 unit projects for recreation and conservation purposes. In any State
38 fiscal year, not less than 20% of the total amount of funding from the
39 Garden State Green Acres Preservation Trust Fund for all State
40 projects to acquire and develop lands for recreation and conservation
41 purposes throughout the State recommended by the department shall
42 be for State projects located in highly populated counties of the State

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 with population densities of at least 1,000 persons per square mile
2 according to the latest federal decennial census.

3 The trust shall review the list and may make such deletions, but not
4 additions, of projects therefrom as it deems appropriate and in
5 accordance with the procedures established for such deletions pursuant
6 to subsection d. of this section, whereupon the trust shall approve the
7 list. At least twice each State fiscal year: (a) the trust shall prepare,
8 and submit to the Governor and to the President of the Senate and the
9 Speaker of the General Assembly for introduction in the Legislature,
10 proposed legislation appropriating moneys from the Garden State
11 Green Acres Preservation Trust Fund, or from any Green Acres bond
12 act with respect to moneys allocated therein for appropriation for the
13 purpose of acquiring or developing lands for recreation and
14 conservation purposes, to fund projects on any such list; and (b) the
15 Legislature may approve one or more appropriation [acts] bills
16 containing a project list or lists submitted by the trust pursuant to this
17 paragraph.

18 (2) Any act appropriating moneys from the Garden State Green
19 Acres Preservation Trust Fund, or from any Green Acres bond act
20 with respect to moneys allocated therein for appropriation for the
21 purpose of acquiring or developing lands for recreation and
22 conservation purposes, shall identify the particular project or projects
23 to be funded by those moneys, and any expenditure for a project for
24 which the location is not identified by county and municipality in the
25 appropriation shall require the approval of the Joint Budget Oversight
26 Committee or its successor.

27 Moneys may be appropriated to a local government unit that has
28 prepared and adopted an open space acquisition and development plan
29 approved by the department, or to a qualifying tax exempt nonprofit
30 organization that in cooperation and with the approval of a local
31 government unit is implementing or assisting in the implementation of
32 an open space acquisition and development plan adopted by the local
33 government unit and approved by the department, without identifying
34 in the act the particular project or projects to be funded, provided that
35 the appropriation will be expended in accordance with that approved
36 plan and, with respect to Green Acres bond act moneys, the
37 appropriation in that form is not inconsistent with the Green Acres
38 bond act.

39 (3) Any transfer of moneys appropriated from the Garden State
40 Green Acres Preservation Trust Fund, or from any Green Acres bond
41 act with respect to moneys allocated therein for appropriation for the
42 purpose of acquiring or developing lands for recreation and
43 conservation purposes, or any change in project sponsor, site, or type
44 that has received an appropriation from the fund or from a Green
45 Acres bond act, shall require the approval of the Joint Budget
46 Oversight Committee or its successor but shall not require the

1 approval of the Garden State Preservation Trust.

2 b. (1) At least twice each State fiscal year, the State Agriculture
3 Development Committee shall submit to the trust a list of projects that
4 the committee recommends to receive funding from the Garden State
5 Farmland Preservation Trust Fund, based upon a priority system,
6 ranking criteria, and funding policies established by the committee
7 pursuant to this act and the "Agriculture Retention and Development
8 Act," P.L.1983, c.32 (C.4:1C-11 et seq.), and any rules or regulations
9 adopted pursuant thereto. The trust shall review the list and may
10 make such deletions, but not additions, of projects therefrom as it
11 deems appropriate and in accordance with the procedures established
12 for such deletions pursuant to subsection d. of this section, whereupon
13 the trust shall approve the list. At least twice each State fiscal year:
14 (a) the trust shall prepare, and submit to the Governor and to the
15 President of the Senate and the Speaker of the General Assembly for
16 introduction in the Legislature, proposed legislation appropriating
17 moneys from the Garden State Farmland Preservation Trust Fund to
18 fund projects on any such list; and (b) the Legislature may approve one
19 or more appropriation [acts] bills containing a project list or lists
20 submitted by the trust pursuant to this paragraph.

21 (2) Any act appropriating moneys from the Garden State Farmland
22 Preservation Trust Fund shall identify the particular project or projects
23 to be funded with those moneys, and any expenditure for a project for
24 which the location is not identified by county and municipality in the
25 appropriation shall require the approval of the Joint Budget Oversight
26 Committee or its successor.

27 Notwithstanding the provisions of this paragraph to the contrary,
28 any appropriation of moneys from the fund to pay the cost of
29 acquisition of a fee simple title to farmland shall not be required to
30 identify the particular project or identify its location by county or
31 municipality, and the expenditure of those moneys shall not require the
32 approval of the Joint Budget Oversight Committee or its successor.

33 (3) Any transfer of moneys appropriated from the Garden State
34 Farmland Preservation Trust Fund, or change in project sponsor, site,
35 or type that has received an appropriation from the fund, shall require
36 the approval of the Joint Budget Oversight Committee or its successor
37 but shall not require the approval of the Garden State Preservation
38 Trust.

39 c. (1) At least once each State fiscal year, or at such other interval
40 as the New Jersey Historic Trust in consultation with the Garden State
41 Preservation Trust deems appropriate, the New Jersey Historic Trust
42 shall submit to the Garden State Preservation Trust a list of projects
43 that the New Jersey Historic Trust recommends to receive funding
44 from the Garden State Historic Preservation Trust Fund, based upon
45 a priority system, ranking criteria, and funding policies established by
46 the New Jersey Historic Trust pursuant to this act and P.L.1967, c.124

1 (C.13:1B-15.111 et al.), and any rules or regulations adopted pursuant
2 thereto. The Garden State Preservation Trust shall review the list and
3 may make such deletions, but not additions, of projects therefrom as
4 it deems appropriate and in accordance with the procedures
5 established for such deletions pursuant to subsection d. of this section,
6 whereupon the Garden State Preservation Trust shall approve the list.
7 At least once each State fiscal year, or at such other interval as the
8 Garden State Preservation Trust in consultation with the New Jersey
9 Historic Trust deems appropriate: (a) the Garden State Preservation
10 Trust shall prepare, and submit to the Governor and to the President
11 of the Senate and the Speaker of the General Assembly for
12 introduction in the Legislature, proposed legislation appropriating
13 moneys from the Garden State Historic Preservation Trust Fund to
14 fund projects on any such list; and (b) the Legislature may approve one
15 or more appropriation [acts] bills containing a project list or lists
16 submitted by the Garden State Preservation Trust pursuant to this
17 paragraph.

18 (2) Any act appropriating moneys from the Garden State Historic
19 Preservation Trust Fund shall identify the particular project or projects
20 to be funded by those moneys, and any expenditure for a project for
21 which the location is not identified by county and municipality in the
22 appropriation shall require the approval of the Joint Budget Oversight
23 Committee or its successor.

24 (3) Any transfer of moneys appropriated from the Garden State
25 Historic Preservation Trust Fund, or change in project sponsor, site,
26 or type that has received an appropriation from the fund, shall require
27 the approval of the Joint Budget Oversight Committee or its successor
28 but shall not require the approval of the Garden State Preservation
29 Trust.

30 d. Whenever the Garden State Preservation Trust deletes a project
31 from a list of projects that has been submitted to the Garden State
32 Preservation Trust pursuant to subsection a., b., or c. of this section,
33 the Garden State Preservation Trust shall, in consultation with the
34 applicant and the department, the committee, or the New Jersey
35 Historic Trust, as the case may be, review and reevaluate the merits
36 and validity of the project. After completion of this review and
37 reevaluation, if the department, committee, or New Jersey Historic
38 Trust, as the case may be, continues to recommend funding of the
39 project, it shall transmit its reasons therefor in writing to the Garden
40 State Preservation Trust and place the project on the next or a
41 subsequent list of projects submitted to the Garden State Preservation
42 Trust pursuant to subsection a., b., or c. of this section. The Garden
43 State Preservation Trust shall include the project in the next proposed
44 legislation appropriating moneys from the Garden State Green Acres
45 Preservation Trust Fund, Green Acres bond act, Garden State
46 Farmland Preservation Trust Fund, or Garden State Historic

1 Preservation Trust Fund, as the case may be, that is submitted to the
2 Governor, President of the Senate, and Speaker of the General
3 Assembly pursuant to subsection a., b., or c. of this section, together
4 with a written report setting forth the rationale of the Garden State
5 Preservation Trust in recommending deletion of the project from the
6 proposed legislation and the rationale of the department, committee,
7 or New Jersey Historic Trust, as the case may be, in recommending
8 retention of the project in the proposed legislation.

9 e. The Garden State Preservation Trust may at any time suggest
10 projects to be considered or rejected for consideration by the
11 department, the committee, or the New Jersey Historic Trust in the
12 preparation of recommended project funding lists pursuant to this
13 section.

14 f. Projects involving the joint effort of more than one level of
15 government or qualifying tax exempt nonprofit organization, or the
16 joint effort of the department, the committee, and the New Jersey
17 Historic Trust, or any combination thereof, shall be encouraged.

18 g. For the purposes of efficiency and convenience, nothing in this
19 section shall prohibit the Garden State Preservation Trust from
20 combining the project lists, in whole or in part, of the department,
21 committee, and New Jersey Historic Trust into one proposed
22 appropriation bill or bills to be submitted to the Governor and
23 Legislature for consideration and enactment into law as otherwise
24 prescribed pursuant to this section.

25 h. The total amount appropriated in any State fiscal year from the
26 Garden State Green Acres Preservation Trust Fund and the Garden
27 State Farmland Preservation Trust Fund for proposed projects
28 pursuant to subsections a. and b. of this section [in any State fiscal
29 year] shall not exceed \$200,000,000.

30 (cf: P.L.1999, c.152, s.23)

31
32 2. This act shall take effect immediately.

33 34 STATEMENT

35
36 This bill would amend the "Garden State Preservation Trust Act"
37 to clarify that the \$200 million total annual spending cap for open
38 space and farmland preservation projects approved by the Garden
39 State Preservation Trust applies only to funding appropriated from the
40 Garden State Green Acres Preservation Trust Fund and the Garden
41 State Farmland Preservation Trust Fund, and not to funding provided
42 from prior Green Acres bond acts.

43
44 _____
45
46 Modifies \$200 million annual spending cap for open space and
47 farmland preservation projects approved by Garden State Preservation
48 Trust.

CHAPTER 10

AN ACT concerning the Garden State Preservation Trust and amending P.L.1999, c.152.

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

1. Section 23 of P.L.1999, c.152 (C.13:8C-23) is amended to read as follows:

C.13:8C-23 Submission of lists of projects.

23. a. (1) At least twice each State fiscal year, the Department of Environmental Protection shall submit to the trust a list of projects that the department recommends to receive funding from: the Garden State Green Acres Preservation Trust Fund, based upon a priority system, ranking criteria, and funding policies established by the department pursuant to this act; or any Green Acres bond act with respect to moneys allocated therein for appropriation for the purpose of acquiring or developing lands for recreation and conservation purposes, based upon a priority system, ranking criteria, and funding policies established by the department pursuant to law and any rules or regulations adopted pursuant thereto.

To the extent the department receives a sufficient number of applications from local government units for the funding of projects to acquire or develop, for recreation and conservation purposes, lands located in municipalities eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.), and those projects qualify for funding based upon the priority system, ranking criteria, and funding policies established by the department, in any State fiscal year the percentage of funding from the Garden State Green Acres Preservation Trust Fund for such projects recommended by the department shall be substantially equivalent to or greater than the percentage derived by dividing the total amount allocated pursuant to P.L.1983, c.354, P.L.1987, c.265, P.L.1989, c.183, P.L.1992, c.88, and P.L.1995, c.204, for local government unit projects for recreation and conservation purposes in municipalities eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.) by the total amount allocated pursuant to P.L.1983, c.354, P.L.1987, c.265, P.L.1989, c.183, P.L.1992, c.88, and P.L.1995, c.204, for all local government unit projects for recreation and conservation purposes. In any State fiscal year, not less than 20% of the total amount of funding from the Garden State Green Acres Preservation Trust Fund for all State projects to acquire and develop lands for recreation and conservation purposes throughout the State recommended by the department shall be for State projects located in highly populated counties of the State with population densities of at least 1,000 persons per square mile according to the latest federal decennial census.

The trust shall review the list and may make such deletions, but not additions, of projects therefrom as it deems appropriate and in accordance with the procedures established for such deletions pursuant to subsection d. of this section, whereupon the trust shall approve the list. At least twice each State fiscal year: (a) the trust shall prepare, and submit to the Governor and to the President of the Senate and the Speaker of the General Assembly for introduction in the Legislature, proposed legislation appropriating moneys from the Garden State Green Acres Preservation Trust Fund, or from any Green Acres bond act with respect to moneys allocated therein for appropriation for the purpose of acquiring or developing lands for recreation and conservation purposes, to fund projects on any such list; and (b) the Legislature may approve one or more appropriation bills containing a project list or lists submitted by the trust pursuant to this paragraph.

(2) Any act appropriating moneys from the Garden State Green Acres Preservation Trust Fund, or from any Green Acres bond act with respect to moneys allocated therein for appropriation for the purpose of acquiring or developing lands for recreation and conservation purposes, shall identify the particular project or projects to be funded by those moneys, and any expenditure for a project for which the location is not identified by county and municipality in the appropriation shall require the approval of the Joint Budget Oversight Committee or its successor.

Moneys may be appropriated to a local government unit that has prepared and adopted an open space acquisition and development plan approved by the department, or to a qualifying tax exempt nonprofit organization that in cooperation and with the approval of a local government unit is implementing or assisting in the implementation of an open space acquisition and development plan adopted by the local government unit and approved by the department, without identifying in the act the particular project or projects to be funded, provided that the

appropriation will be expended in accordance with that approved plan and, with respect to Green Acres bond act moneys, the appropriation in that form is not inconsistent with the Green Acres bond act.

(3) Any transfer of moneys appropriated from the Garden State Green Acres Preservation Trust Fund, or from any Green Acres bond act with respect to moneys allocated therein for appropriation for the purpose of acquiring or developing lands for recreation and conservation purposes, or any change in project sponsor, site, or type that has received an appropriation from the fund or from a Green Acres bond act, shall require the approval of the Joint Budget Oversight Committee or its successor but shall not require the approval of the Garden State Preservation Trust.

b. (1) At least twice each State fiscal year, the State Agriculture Development Committee shall submit to the trust a list of projects that the committee recommends to receive funding from the Garden State Farmland Preservation Trust Fund, based upon a priority system, ranking criteria, and funding policies established by the committee pursuant to this act and the "Agriculture Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.), and any rules or regulations adopted pursuant thereto. The trust shall review the list and may make such deletions, but not additions, of projects therefrom as it deems appropriate and in accordance with the procedures established for such deletions pursuant to subsection d. of this section, whereupon the trust shall approve the list. At least twice each State fiscal year: (a) the trust shall prepare, and submit to the Governor and to the President of the Senate and the Speaker of the General Assembly for introduction in the Legislature, proposed legislation appropriating moneys from the Garden State Farmland Preservation Trust Fund to fund projects on any such list; and (b) the Legislature may approve one or more appropriation bills containing a project list or lists submitted by the trust pursuant to this paragraph.

(2) Any act appropriating moneys from the Garden State Farmland Preservation Trust Fund shall identify the particular project or projects to be funded with those moneys, and any expenditure for a project for which the location is not identified by county and municipality in the appropriation shall require the approval of the Joint Budget Oversight Committee or its successor.

Notwithstanding the provisions of this paragraph to the contrary, any appropriation of moneys from the fund to pay the cost of acquisition of a fee simple title to farmland shall not be required to identify the particular project or identify its location by county or municipality, and the expenditure of those moneys shall not require the approval of the Joint Budget Oversight Committee or its successor.

(3) Any transfer of moneys appropriated from the Garden State Farmland Preservation Trust Fund, or change in project sponsor, site, or type that has received an appropriation from the fund, shall require the approval of the Joint Budget Oversight Committee or its successor but shall not require the approval of the Garden State Preservation Trust.

c. (1) At least once each State fiscal year, or at such other interval as the New Jersey Historic Trust in consultation with the Garden State Preservation Trust deems appropriate, the New Jersey Historic Trust shall submit to the Garden State Preservation Trust a list of projects that the New Jersey Historic Trust recommends to receive funding from the Garden State Historic Preservation Trust Fund, based upon a priority system, ranking criteria, and funding policies established by the New Jersey Historic Trust pursuant to this act and P.L.1967, c.124 (C.13:1B-15.111 et al.), and any rules or regulations adopted pursuant thereto. The Garden State Preservation Trust shall review the list and may make such deletions, but not additions, of projects therefrom as it deems appropriate and in accordance with the procedures established for such deletions pursuant to subsection d. of this section, whereupon the Garden State Preservation Trust shall approve the list. At least once each State fiscal year, or at such other interval as the Garden State Preservation Trust in consultation with the New Jersey Historic Trust deems appropriate: (a) the Garden State Preservation Trust shall prepare, and submit to the Governor and to the President of the Senate and the Speaker of the General Assembly for introduction in the Legislature, proposed legislation appropriating moneys from the Garden State Historic Preservation Trust Fund to fund projects on any such list; and (b) the Legislature may approve one or more appropriation bills containing a project list or lists submitted by the Garden

State Preservation Trust pursuant to this paragraph.

(2) Any act appropriating moneys from the Garden State Historic Preservation Trust Fund shall identify the particular project or projects to be funded by those moneys, and any expenditure for a project for which the location is not identified by county and municipality in the appropriation shall require the approval of the Joint Budget Oversight Committee or its successor.

(3) Any transfer of moneys appropriated from the Garden State Historic Preservation Trust Fund, or change in project sponsor, site, or type that has received an appropriation from the fund, shall require the approval of the Joint Budget Oversight Committee or its successor but shall not require the approval of the Garden State Preservation Trust.

d. Whenever the Garden State Preservation Trust deletes a project from a list of projects that has been submitted to the Garden State Preservation Trust pursuant to subsection a., b., or c. of this section, the Garden State Preservation Trust shall, in consultation with the applicant and the department, the committee, or the New Jersey Historic Trust, as the case may be, review and reevaluate the merits and validity of the project. After completion of this review and reevaluation, if the department, committee, or New Jersey Historic Trust, as the case may be, continues to recommend funding of the project, it shall transmit its reasons therefor in writing to the Garden State Preservation Trust and place the project on the next or a subsequent list of projects submitted to the Garden State Preservation Trust pursuant to subsection a., b., or c. of this section. The Garden State Preservation Trust shall include the project in the next proposed legislation appropriating moneys from the Garden State Green Acres Preservation Trust Fund, Green Acres bond act, Garden State Farmland Preservation Trust Fund, or Garden State Historic Preservation Trust Fund, as the case may be, that is submitted to the Governor, President of the Senate, and Speaker of the General Assembly pursuant to subsection a., b., or c. of this section, together with a written report setting forth the rationale of the Garden State Preservation Trust in recommending deletion of the project from the proposed legislation and the rationale of the department, committee, or New Jersey Historic Trust, as the case may be, in recommending retention of the project in the proposed legislation.

e. The Garden State Preservation Trust may at any time suggest projects to be considered or rejected for consideration by the department, the committee, or the New Jersey Historic Trust in the preparation of recommended project funding lists pursuant to this section.

f. Projects involving the joint effort of more than one level of government or qualifying tax exempt nonprofit organization, or the joint effort of the department, the committee, and the New Jersey Historic Trust, or any combination thereof, shall be encouraged.

g. For the purposes of efficiency and convenience, nothing in this section shall prohibit the Garden State Preservation Trust from combining the project lists, in whole or in part, of the department, committee, and New Jersey Historic Trust into one proposed appropriation bill or bills to be submitted to the Governor and Legislature for consideration and enactment into law as otherwise prescribed pursuant to this section.

h. The total amount appropriated in any State fiscal year from the Garden State Green Acres Preservation Trust Fund and the Garden State Farmland Preservation Trust Fund for proposed projects pursuant to subsections a. and b. of this section shall not exceed \$200,000,000.

2. This act shall take effect immediately.

Approved April 6, 2000.

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Office of the Governor
NEWS RELEASE

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RELEASE: April 7, 2000

Gov. Christie Whitman has signed the following pieces of legislation:

A-1673, appropriates \$205 million from the \$500 million 1999 Statewide Transportation and Local Bridge Fund approved by the voters in November. A total of \$125 million of the \$205 million is allocated for grants to local governments to repair or rebuild structurally deficient bridges carrying county or municipal roads. A local match is not required to access these funds. The balance of the \$205 million -- \$80 million -- is allocated to NJ Transit for critical mass transit projects, including the rehabilitation of the Bergen Tunnel, projects at the Hoboken Terminal and the new Union Station on the Raritan Valley Line.

The bill also reappropriates unexpended balances from the 1983 and 1989 bridge bond funds back to the counties to which the money was originally appropriated. A balance of \$8.5 million remains unspent from the 1983 bridge bond fund, and a balance of \$21.3 million remains unspent from the 1989 bridge bond fund. These funds remain unexpended because of the local match requirements that were placed upon the counties to use the funds. This bill, in addition to reappropriating the funds back to the counties, eases the local match requirements in order to make the remaining funds more accessible.

The legislation was sponsored by Assembly Members Alex DeCroce (R-Essex/Morris/Passaic) and Francis L. Bodine (R-Atlantic/Burlington/Camden) and Senators Andrew R. Ciesla (R-Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden).

A-47, amends the Garden State Preservation Trust Act. The bill clarifies that the \$200 million total annual spending cap for open space and farmland preservation projects approved by the Garden State Preservation Trust applies only to funding appropriated from the Garden State Green Acres Preservation Trust Fund and the Garden State Farmland Preservation Trust Fund, and not to funding provided from prior Green Acres bond acts. The legislation was sponsored by Assembly Members Steve Corodemus (R-Monmouth) and John C. Gibson (R-Cape May/Atlantic/Cumberland) and Senators Henry P. McNamara (R-Bergen/Passaic) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union).