

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Gov. Christie signs/vetoes 'agriculture' bills," northjersey.com, 1-30-14

LAW/KR

P.L.2013, CHAPTER 249, *approved January 17, 2014*
Assembly, No. 3019 (*Second Reprint*)

1 AN ACT concerning produce served in schools and supplementing
2 chapter 33 of Title 18A of the New Jersey Statutes.

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

6
7 1. a. As used in this section, “community garden” means
8 public or private land upon which individuals have the opportunity
9 to garden on pieces of land that they do not individually own.

10 b. ¹**[A]** Consistent with all other applicable laws, a¹ school
11 district may serve to students fresh produce that has been grown in
12 a community garden, provided that:

13 (1) the soil in the community garden has been tested for
14 contaminants and is safe for growing food for student consumption;

15 (2) water sources used for the community garden have been
16 tested for contaminants and are safe for growing food for student
17 consumption;

18 (3) the produce has been handled, stored, transported, and
19 prepared safely and in accordance with applicable federal, State,
20 and local health and sanitation requirements; and

21 (4) such other criteria as determined by the Secretary of
22 Agriculture are met.

23 c. ²A school district and its employees shall be immune from
24 any civil liability arising from good faith actions in the serving of
25 produce from a community garden in accordance with the
26 requirements of this act.

27 d.² The Secretary of Agriculture, in consultation with the State
28 Board of Education, shall promulgate regulations pursuant to the
29 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
30 seq.), necessary to effectuate the provisions of this act.

31
32 2. This act shall take effect immediately.

33

34

35

36

37 Authorizes public schools to serve to students certain produce
38 grown in community garden.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted December 10, 2012.

²Senate floor amendments adopted June 20, 2013.

ASSEMBLY, No. 3019

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JUNE 7, 2012

Sponsored by:

Assemblyman GILBERT "WHIP" L. WILSON

District 5 (Camden and Gloucester)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

SYNOPSIS

Authorizes public schools to serve to students certain produce grown in community garden.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/4/2012)

1 AN ACT concerning produce served in schools and supplementing
2 chapter 33 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. As used in this section, “community garden” means
8 public or private land upon which individuals have the opportunity
9 to garden on pieces of land that they do not individually own.

10 b. A school district may serve to students fresh produce that
11 has been grown in a community garden, provided that:

12 (1) the soil in the community garden has been tested for
13 contaminants and is safe for growing food for student consumption;

14 (2) water sources used for the community garden have been
15 tested for contaminants and are safe for growing food for student
16 consumption;

17 (3) the produce has been handled, stored, transported, and
18 prepared safely and in accordance with applicable federal, State,
19 and local health and sanitation requirements; and

20 (4) such other criteria as determined by the Secretary of
21 Agriculture are met.

22 c. The Secretary of Agriculture, in consultation with the State
23 Board of Education, shall promulgate regulations pursuant to the
24 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
25 seq.), necessary to effectuate the provisions of this act.

26

27 2. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 This bill would allow a school district to serve to students fresh
33 produce that has been grown in a community garden, provided that:
34 the soil and water used in the garden have been tested and are safe
35 for growing food for student consumption; the produce has been
36 handled, stored, transported, and prepared safely and in accordance
37 with applicable federal, State, and local health and sanitation
38 requirements; and such other criteria as determined by the Secretary
39 of Agriculture are met. The bill defines “community garden” as
40 public or private land upon which individuals have the opportunity
41 to garden on pieces of land that they do not individually own.

42 The presence of community gardens, which provide an
43 opportunity for local residents to grow fresh fruits and vegetables,
44 is increasing in our State. Community gardens that partner with
45 schools could provide fresh, nutritious locally grown produce to be
46 incorporated into school meals and snacks, as well as offer
47 educational opportunities for students.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3019

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 10, 2012

The Assembly Agriculture and Natural Resources Committee reports favorably and with committee amendments Assembly Bill No. 3019.

As amended by the committee, this bill would allow a school district to serve students fresh produce that has been grown in a community garden, provided that: (1) the soil and water used in the garden have been tested and are safe for growing food for student consumption; (2) the produce has been handled, stored, transported, and prepared safely and in accordance with applicable federal, State, and local health and sanitation requirements; and (3) any other criteria, identified by the Secretary of Agriculture, have been satisfied. The bill, as amended, defines “community garden” as public or private land upon which individuals have the opportunity to garden on pieces of land that they do not individually own.

COMMITTEE AMENDMENTS

The committee amendments clarify that a school district must act consistently with all other applicable laws when providing students with fresh produce from a community garden.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3019

STATE OF NEW JERSEY

DATED: JUNE 6, 2013

The Senate Education Committee favorably reports Assembly Bill No. 3019 (1R).

This bill would allow a school district to serve students fresh produce that has been grown in a community garden, provided that: the soil and water used in the garden have been tested and are safe for growing food for student consumption; the produce has been handled, stored, transported, and prepared safely and in accordance with applicable federal, State, and local health and sanitation requirements; and any other criteria identified by the Secretary of Agriculture have been satisfied. A school district must act consistently with all other applicable laws when providing students with fresh produce from a community garden. The bill defines “community garden” as public or private land upon which individuals have the opportunity to garden on pieces of land that they do not individually own.

As reported by the committee, this bill is identical to Senate Bill No. 2561, which also was reported by the committee on this same date.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3019

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: JUNE 20, 2013

This Senate floor amendment adds a provision to the bill providing that a school district and its employees will be immune from civil liability arising from good faith actions in the serving of produce from a community garden in accordance with the bill's requirements.

SENATE, No. 2561

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 7, 2013

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Co-Sponsored by:

Senators Turner, Allen and Beach

SYNOPSIS

Authorizes public schools to serve to students certain produce grown in community garden.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/7/2013)

1 AN ACT concerning produce served in schools and supplementing
2 chapter 33 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. As used in this section, “community garden” means
8 public or private land upon which individuals have the opportunity
9 to garden on pieces of land that they do not individually own.

10 b. Consistent with all other applicable laws, a school district
11 may serve to students fresh produce that has been grown in a
12 community garden, provided that:

13 (1) the soil in the community garden has been tested for
14 contaminants and is safe for growing food for student consumption;

15 (2) water sources used for the community garden have been
16 tested for contaminants and are safe for growing food for student
17 consumption;

18 (3) the produce has been handled, stored, transported, and
19 prepared safely and in accordance with applicable federal, State,
20 and local health and sanitation requirements; and

21 (4) such other criteria as determined by the Secretary of
22 Agriculture are met.

23 c. The Secretary of Agriculture, in consultation with the State
24 Board of Education, shall promulgate regulations pursuant to the
25 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
26 seq.), necessary to effectuate the provisions of this act.

27

28 2. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 This bill would allow a school district to serve students fresh
34 produce that has been grown in a community garden, provided that:
35 the soil and water used in the garden have been tested and are safe
36 for growing food for student consumption; the produce has been
37 handled, stored, transported, and prepared safely and in accordance
38 with applicable federal, State, and local health and sanitation
39 requirements; and any other criteria identified by the Secretary of
40 Agriculture have been satisfied. A school district must act
41 consistently with all other applicable laws when providing students
42 with fresh produce from a community garden. The bill defines
43 “community garden” as public or private land upon which
44 individuals have the opportunity to garden on pieces of land that
45 they do not individually own.

46 The presence of community gardens, which provide an
47 opportunity for local residents to grow fresh fruits and vegetables,
48 is increasing in our State. Community gardens that partner with

S2561 RUIZ, CUNNINGHAM

3

- 1 schools could provide fresh, nutritious locally grown produce to be
- 2 incorporated into school meals and snacks, as well as offer
- 3 educational opportunities for students.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2561

STATE OF NEW JERSEY

DATED: JUNE 6, 2013

The Senate Education Committee favorably reports Senate Bill No. 2561.

This bill would allow a school district to serve students fresh produce that has been grown in a community garden, provided that: the soil and water used in the garden have been tested and are safe for growing food for student consumption; the produce has been handled, stored, transported, and prepared safely and in accordance with applicable federal, State, and local health and sanitation requirements; and any other criteria identified by the Secretary of Agriculture have been satisfied. A school district must act consistently with all other applicable laws when providing students with fresh produce from a community garden. The bill defines “community garden” as public or private land upon which individuals have the opportunity to garden on pieces of land that they do not individually own.

As reported by the committee, this bill is identical to Assembly Bill No. 3019 (1R), which also was reported by the committee on this same date.

STATEMENT TO
SENATE, No. 2561

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: JUNE 20, 2013

This Senate floor amendment adds a provision to the bill providing that a school district and its employees will be immune from civil liability arising from good faith actions in the serving of produce from a community garden in accordance with the bill's requirements.