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NEWSPAPER ARTICLES: Yes

Butterflies, booze, but not bacteria - What NJ's last-minute laws cover," NJ Spotlight, January 9, 2018

RH/CL

P.L.2017, CHAPTER 250, *approved January 8, 2018*
Senate, No. 1732

1 AN ACT establishing an “Adopt a Monarch Butterfly Waystation”
2 program, and supplementing Title 13 of the Revised Statutes.

3

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

6

7 1. This act shall be known and may be cited as the “Adopt a
8 Monarch Butterfly Waystation Act.”

9

10 2. The Legislature finds and declares that:

11 a. Every autumn, millions of monarch butterflies migrate south
12 from Canada and the United States to Mexico, stopping at sites
13 along the way, like New Jersey, to feed and reproduce.

14 b. Reports indicate that migrating monarch butterflies are in
15 “grave danger,” as their colonies in Mexico now occupy the
16 smallest area since records began in 1993.

17 c. A major cause of decline in the monarch butterfly population
18 is the widespread loss of a plant called milkweed, which monarch
19 butterfly larvae rely on for food.

20 d. Once widespread throughout the United States, milkweed
21 has seen its range fall 58 percent between 1999 and 2010.

22 e. Monarch butterfly waystations provide the resources
23 necessary for monarch butterflies to produce successive generations
24 and sustain their spectacular migration through New Jersey and
25 North America.

26

27 3. As used in this act:

28 “Department” means the Department of Environmental
29 Protection.

30 “Monarch butterfly waystation” means a habitat that provides
31 milkweed plants, nectar sources, and shelter needed to sustain
32 monarch butterflies as they migrate through the State.

33 “Program volunteer” means any group, organization, business, or
34 individual who has been assigned a section of State-owned lands on
35 which to develop and maintain a monarch butterfly waystation in
36 accordance with this act.

37

38 4. The department shall, within 180 days after the effective
39 date of this act, establish an “Adopt a Monarch Butterfly
40 Waystation” program. The purpose of the program shall be to
41 utilize volunteer labor in a cooperative effort with State and local

1 government to develop, maintain, and protect monarch butterfly
2 waystations on State-owned land throughout the State.

3

4 5. a. The department shall:

5 (1) Establish criteria for the development and maintenance of
6 monarch butterfly waystations on State-owned lands;

7 (2) Develop a packet of information and instructions and, within
8 the limits of funds made available therefor, provide seeds and other
9 planting materials, for use by program volunteers in developing and
10 maintaining monarch butterfly waystations in accordance with this
11 act;

12 (3) Coordinate with program volunteers, public interest
13 organizations, and appropriate State and local government officials
14 to arrange for the development and maintenance of monarch
15 butterfly waystations on State-owned lands throughout the State;

16 (4) Advertise and promote the “Adopt a Monarch Butterfly
17 Waystation” program, and develop and utilize such slogans,
18 symbols, and mascots as the department may deem appropriate for
19 such purposes;

20 (5) In consultation with the Department of Education and
21 citizen, educational, and environmental groups, prepare educational
22 materials on the decline in the monarch butterfly population and the
23 ways in which all residents can create and conserve monarch
24 butterfly habitats, and distribute these educational materials to
25 school districts and public interest organizations;

26 (6) Create and maintain a list of forests, gardens, parks, and
27 other State-owned lands where development of monarch butterfly
28 waystations would be both beneficial and feasible, and would not
29 substantially interfere with any other uses of the land; and

30 (7) Issue to each program volunteer an adoption certificate and,
31 within the limits of funds made available therefor, provide a sign
32 indicating the name of the participating group, organization,
33 business, or individual for placement, if not otherwise prohibited by
34 law or municipal ordinance, at an appropriate point on the monarch
35 butterfly waystation, or at such other point as the department may
36 prescribe.

37 b. The department may charge program volunteers a reasonable
38 fee to cover the reasonable costs of any information and instruction
39 packets, seeds and other planting materials, certificates, and signs
40 distributed.

41

42 6. a. Any group, organization, business, or individual interested
43 in developing and maintaining a monarch butterfly waystation in
44 accordance with this act shall notify the department. Such
45 notification may include a request to adopt, if possible, a specified
46 portion of State-owned lands. Upon receipt of a notification of
47 interest, the department shall: (1) assign an appropriate portion of
48 State-owned lands to that group, organization, business, or

1 individual for the development and maintenance of a monarch
2 butterfly waystation; and (2) notify the group, organization,
3 business, or individual of that assignment and provide thereto the
4 materials required to be prepared pursuant to paragraph (2) of
5 subsection a. of section 5 of this act.

6 b. Upon receipt from the department of notification of its
7 assigned section of State-owned lands, the program volunteer shall
8 notify the clerk of the municipality in which the assigned section of
9 State-owned lands is located so that the municipality will be aware
10 of the program volunteer's activities and may, at its discretion,
11 provide assistance.

12 c. The period for developing and maintaining a monarch
13 butterfly waystation on assigned State-owned lands shall be one
14 year, but a program volunteer may renew its participation in the
15 program by notifying the department annually at such time as shall
16 be specified by the department.

17

18 7. a. No department, agency, bureau, board, commission,
19 authority, or other entity of the State, or of any county or
20 municipality, and no employee thereof, shall be liable to any person
21 for any injury or damages that may be caused or sustained by a
22 program volunteer while developing and maintaining a monarch
23 butterfly waystation on State-owned lands.

24 As a condition of participating in the program, a prospective
25 program volunteer shall sign a waiver releasing the department, the
26 State, and any other appropriate governmental entity, and all
27 employees thereof, from liability for any injury or damages that
28 may be caused or sustained by that volunteer while developing and
29 maintaining a monarch butterfly waystation on State-owned lands.

30 b. A program volunteer shall not be considered a "public
31 employee" or "State employee" for purposes of the "New Jersey
32 Tort Claims Act," N.J.S.59:1-1 et seq., or otherwise be accorded
33 any of the protections set forth therein.

34

35 8. Any person may donate to the department, or to a county,
36 municipality, or school, funds, supplies, or services for use in the
37 "Adopt a Monarch Butterfly Waystation" program, and the
38 department and any county, municipality, or school are authorized
39 to accept such donations.

40

41 9. This act shall take effect immediately.

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STATEMENT

45

46 This bill would establish an "Adopt a Monarch Butterfly
47 Waystation" program in the Department of Environmental Protection
48 (DEP).

1 This bill would authorize groups, organizations, businesses, and
2 individuals to “adopt” assigned portions of State-owned lands to
3 develop and maintain monarch butterfly waystations. The DEP would
4 be responsible for, among other things, establishing criteria for the
5 development of waystations and coordinating with program
6 volunteers, public interest organizations, and government officials to
7 arrange for the adoption of State-owned lands. Groups, organizations,
8 businesses, and individuals who are interested in becoming program
9 volunteers would notify the DEP. Upon receipt of the request, the DEP
10 would assign the program volunteer an appropriate portion of State-
11 owned lands on which to develop a monarch butterfly waystation. The
12 DEP would then provide the program volunteer with information and
13 instructions on how to develop and maintain the waystation.
14 Adoptions would last for one year, but could be renewed on an annual
15 basis.

16 The bill also requires the DEP, in consultation with the Department
17 of Education and citizen, educational, and environmental groups, to
18 prepare educational materials on the decline in the monarch butterfly
19 population and the ways in which residents can create and conserve
20 monarch butterfly habitats, and to distribute these materials to schools
21 and public interest organizations.

22 Under the bill, each program volunteer in the “Adopt a Monarch
23 Butterfly Waystation” program would be required to sign a waiver to
24 release all State and local government entities and employees from any
25 liability for injury or damages caused or sustained while developing or
26 maintaining a waystation. An “Adopt a Monarch Butterfly
27 Waystation” program volunteer would not be considered a public
28 employee or State employee for the purposes of the “New Jersey Tort
29 Claims Act,” and would not be accorded any of the protections set
30 forth in that act.

31 The bill authorizes the DEP, counties, municipalities, and schools
32 to accept donations of funds, supplies, or services for use in the
33 “Adopt a Monarch Butterfly Waystation” program.

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Establishes “Adopt a Monarch Butterfly Waystation” program.

SENATE, No. 1732

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 29, 2016

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator DIANE B. ALLEN

District 7 (Burlington)

Assemblyman TIM EUSTACE

District 38 (Bergen and Passaic)

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Co-Sponsored by:

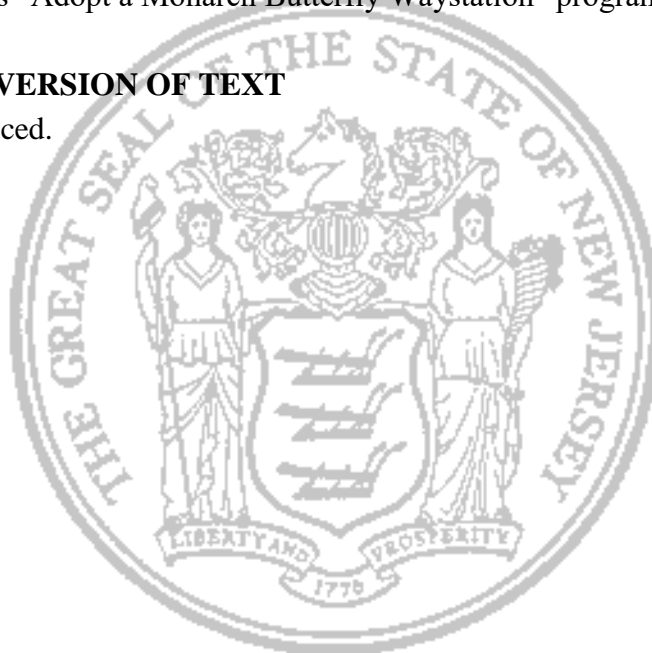
Assemblyman Conaway, Assemblywomen Pinkin and Lampitt

SYNOPSIS

Establishes “Adopt a Monarch Butterfly Waystation” program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/8/2017)

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14 b. Reports indicate that migrating monarch butterflies are in
15 “grave danger,” as their colonies in Mexico now occupy the
16 smallest area since records began in 1993.

17 c. A major cause of decline in the monarch butterfly population
18 is the widespread loss of a plant called milkweed, which monarch
19 butterfly larvae rely on for food.

20 d. Once widespread throughout the United States, milkweed
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7 organizations, and appropriate State and local government officials
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- 10 (4) Advertise and promote the “Adopt a Monarch Butterfly
11 Waystation” program, and develop and utilize such slogans,
12 symbols, and mascots as the department may deem appropriate for
13 such purposes;
- 14 (5) In consultation with the Department of Education and
15 citizen, educational, and environmental groups, prepare educational
16 materials on the decline in the monarch butterfly population and the
17 ways in which all residents can create and conserve monarch
18 butterfly habitats, and distribute these educational materials to
19 school districts and public interest organizations;
- 20 (6) Create and maintain a list of forests, gardens, parks, and
21 other State-owned lands where development of monarch butterfly
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23 substantially interfere with any other uses of the land; and
- 24 (7) Issue to each program volunteer an adoption certificate and,
25 within the limits of funds made available therefor, provide a sign
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27 business, or individual for placement, if not otherwise prohibited by
28 law or municipal ordinance, at an appropriate point on the monarch
29 butterfly waystation, or at such other point as the department may
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- 31 b. The department may charge program volunteers a reasonable
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2 assigned section of State-owned lands, the program volunteer shall
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17 program volunteer while developing and maintaining a monarch
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21 State, and any other appropriate governmental entity, and all
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24 maintaining a monarch butterfly waystation on State-owned lands.

25 b. A program volunteer shall not be considered a "public
26 employee" or "State employee" for purposes of the "New Jersey
27 Tort Claims Act," N.J.S.59:1-1 et seq., or otherwise be accorded
28 any of the protections set forth therein.

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30 8. Any person may donate to the department, or to a county,
31 municipality, or school, funds, supplies, or services for use in the
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STATEMENT

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24 Claims Act,” and would not be accorded any of the protections set
25 forth in that act.

26 The bill authorizes the DEP, counties, municipalities, and schools
27 to accept donations of funds, supplies, or services for use in the
28 “Adopt a Monarch Butterfly Waystation” program.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 1732

STATE OF NEW JERSEY

DATED: MARCH 7, 2016

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1732.

This bill would establish an “Adopt a Monarch Butterfly Waystation” program in the Department of Environmental Protection (DEP).

This bill would authorize groups, organizations, businesses, and individuals to “adopt” assigned portions of State-owned lands to develop and maintain monarch butterfly waystations. The DEP would be responsible for, among other things, establishing criteria for the development of waystations and coordinating with program volunteers, public interest organizations, and government officials to arrange for the adoption of State-owned lands. Groups, organizations, businesses, and individuals who are interested in becoming program volunteers would notify the DEP. Upon receipt of the request, the DEP would assign the program volunteer an appropriate portion of State-owned lands on which to develop a monarch butterfly waystation. The DEP would then provide the program volunteer with information and instructions on how to develop and maintain the waystation. Adoptions would last for one year, but could be renewed on an annual basis.

The bill also requires the DEP, in consultation with the Department of Education and citizen, educational, and environmental groups, to prepare educational materials on the decline in the monarch butterfly population and the ways in which residents can create and conserve monarch butterfly habitats, and to distribute these materials to schools and public interest organizations.

Under the bill, each program volunteer in the “Adopt a Monarch Butterfly Waystation” program would be required to sign a waiver to release all State and local government entities and employees from any liability for injury or damages caused or sustained while developing or maintaining a waystation. An “Adopt a Monarch Butterfly Waystation” program volunteer would not be considered a public employee or State employee for the purposes of the “New Jersey Tort Claims Act,” and would not be accorded any of the protections set forth in that act.

The bill authorizes the DEP, counties, municipalities, and schools to accept donations of funds, supplies, or services for use in the “Adopt a Monarch Butterfly Waystation” program.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

SENATE, No. 1732

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2016

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 1732.

This bill would establish an “Adopt a Monarch Butterfly Waystation” program in the Department of Environmental Protection (DEP).

This bill would authorize groups, organizations, businesses, and individuals to “adopt” assigned portions of State-owned lands to develop and maintain monarch butterfly waystations. The DEP would be responsible for, among other things, establishing criteria for the development of waystations and coordinating with program volunteers, public interest organizations, and government officials to arrange for the adoption of State-owned lands. Groups, organizations, businesses, and individuals who are interested in becoming program volunteers would notify the DEP. Upon receipt of the request, the DEP would assign the program volunteer an appropriate portion of State-owned lands on which to develop a monarch butterfly waystation. The DEP would then provide the program volunteer with information and instructions on how to develop and maintain the waystation. Adoptions would last for one year, but could be renewed on an annual basis.

The bill also requires the DEP, in consultation with the Department of Education and citizen, educational, and environmental groups, to prepare educational materials on the decline in the monarch butterfly population and the ways in which residents can create and conserve monarch butterfly habitats, and to distribute these materials to schools and public interest organizations.

Under the bill, each program volunteer in the “Adopt a Monarch Butterfly Waystation” program would be required to sign a waiver to release all State and local government entities and employees from any liability for injury or damages caused or sustained while developing or maintaining a waystation. An “Adopt a Monarch Butterfly Waystation” program volunteer would not be considered a public employee or State employee for the purposes of the “New Jersey Tort Claims Act,” and would not be accorded any of the protections set forth in that act.

The bill authorizes the DEP, counties, municipalities, and schools to accept donations of funds, supplies, or services for use in the “Adopt a Monarch Butterfly Waystation” program.

As reported by the committee, this bill is identical to Assembly Bill No. 2449 as also reported by the committee.

ASSEMBLY, No. 2449

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 4, 2016

Sponsored by:

Assemblyman TIM EUSTACE

District 38 (Bergen and Passaic)

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Co-Sponsored by:

Assemblyman Conaway, Assemblywomen Pinkin and Lampitt

SYNOPSIS

Establishes “Adopt a Monarch Butterfly Waystation” program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/8/2017)

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15 “grave danger,” as their colonies in Mexico now occupy the
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10 basis.

11 The bill also requires the DEP, in consultation with the Department
12 of Education and citizen, educational, and environmental groups, to
13 prepare educational materials on the decline in the monarch butterfly
14 population and the ways in which residents can create and conserve
15 monarch butterfly habitats, and to distribute these materials to schools
16 and public interest organizations.

17 Under the bill, each program volunteer in the “Adopt a Monarch
18 Butterfly Waystation” program would be required to sign a waiver to
19 release all State and local government entities and employees from any
20 liability for injury or damages caused or sustained while developing or
21 maintaining a waystation. An “Adopt a Monarch Butterfly
22 Waystation” program volunteer would not be considered a public
23 employee or State employee for the purposes of the “New Jersey Tort
24 Claims Act,” and would not be accorded any of the protections set
25 forth in that act.

26 The bill authorizes the DEP, counties, municipalities, and schools
27 to accept donations of funds, supplies, or services for use in the
28 “Adopt a Monarch Butterfly Waystation” program.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2449

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2016

The Assembly Environment and Solid Waste Committee reports favorably Assembly Bill No. 2449.

This bill would establish an “Adopt a Monarch Butterfly Waystation” program in the Department of Environmental Protection (DEP).

This bill would authorize groups, organizations, businesses, and individuals to “adopt” assigned portions of State-owned lands to develop and maintain monarch butterfly waystations. The DEP would be responsible for, among other things, establishing criteria for the development of waystations and coordinating with program volunteers, public interest organizations, and government officials to arrange for the adoption of State-owned lands. Groups, organizations, businesses, and individuals who are interested in becoming program volunteers would notify the DEP. Upon receipt of the request, the DEP would assign the program volunteer an appropriate portion of State-owned lands on which to develop a monarch butterfly waystation. The DEP would then provide the program volunteer with information and instructions on how to develop and maintain the waystation. Adoptions would last for one year, but could be renewed on an annual basis.

The bill also requires the DEP, in consultation with the Department of Education and citizen, educational, and environmental groups, to prepare educational materials on the decline in the monarch butterfly population and the ways in which residents can create and conserve monarch butterfly habitats, and to distribute these materials to schools and public interest organizations.

Under the bill, each program volunteer in the “Adopt a Monarch Butterfly Waystation” program would be required to sign a waiver to release all State and local government entities and employees from any liability for injury or damages caused or sustained while developing or maintaining a waystation. An “Adopt a Monarch Butterfly Waystation” program volunteer would not be considered a public employee or State employee for the purposes of the “New Jersey Tort Claims Act,” and would not be accorded any of the protections set forth in that act.

The bill authorizes the DEP, counties, municipalities, and schools to accept donations of funds, supplies, or services for use in the “Adopt a Monarch Butterfly Waystation” program.

As reported by the committee, this bill is identical to Senate Bill No. 1732 as also reported by the committee.