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P.L. 2018, CHAPTER 95, *approved August 17, 2018*
Assembly, No. 1033

1 AN ACT concerning the Palisades Interstate Park Commission and
2 certain funding for recreation and conservation and historic
3 preservation purposes, and amending P.L.2016, c.12 and
4 P.L.1980, c.104.

5

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

8

9 1. Section 6 of P.L.2016, c.12 (C.13:8C-48) is amended to read
10 as follows:

11 6. a. The State Treasurer shall establish a fund to be known as
12 the "Preserve New Jersey Green Acres Fund" and shall deposit into
13 the fund all moneys received pursuant to paragraph (1) of
14 subsection a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47)
15 and any other moneys appropriated by law for deposit into the fund.

16 Moneys in the fund shall be invested in permitted investments or
17 shall be held in interest-bearing accounts in those depositories as
18 the State Treasurer may select, and may be invested and reinvested
19 in permitted investments or as other trust funds in the custody of the
20 State Treasurer in the manner provided by law. All interest or other
21 income or earnings derived from the investment or reinvestment of
22 moneys in the fund shall be credited to the fund. Moneys derived
23 from the payment of principal and interest on the loans to local
24 government units authorized by this act shall also be held in the
25 fund.

26 b. Of the amount deposited each State fiscal year into the
27 Preserve New Jersey Green Acres Fund pursuant to paragraph (1) of
28 subsection a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47):

29 (1) 55 percent shall be allocated for the purpose of paying the
30 cost of acquisition and development of lands by the State for
31 recreation and conservation purposes, and the amount provided
32 pursuant to this paragraph shall be allocated as follows:

33 (a) 50 percent shall be allocated for the purpose of paying the
34 cost of acquisition of lands by the State for recreation and
35 conservation purposes; and

36 (b) 50 percent shall be allocated for the purpose of paying the
37 cost of development of lands by the State for recreation and
38 conservation purposes, and of the amount provided pursuant to this
39 subparagraph:

40 (i) up to 22 percent shall be allocated for the purpose of paying
41 the cost for stewardship activities undertaken on lands administered
42 by the Division of Fish and Wildlife in the department; and

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 (ii) up to 22 percent shall be allocated for the purpose of paying
2 the cost for stewardship activities undertaken on lands administered
3 by the Division of Parks and Forestry in the department;

4 (2) 38 percent shall be allocated for the purposes of providing
5 grants and loans to assist local government units to pay the cost of
6 acquisition and development of lands for recreation and
7 conservation purposes, and of this amount, up to 2 percent shall be
8 allocated for stewardship activities undertaken by local government
9 units; and

10 (3) 7 percent shall be allocated for the purposes of providing
11 grants to assist qualifying tax exempt nonprofit organizations to pay
12 the cost of acquisition and development of lands for recreation and
13 conservation purposes, and of this amount, 11 percent shall be
14 allocated for stewardship activities undertaken by qualifying tax
15 exempt nonprofit organizations.

16 c. Any repayments of the principal and interest on loans issued
17 to local government units for the acquisition or development of
18 lands for recreation and conservation purposes using
19 constitutionally dedicated CBT moneys shall be deposited into the
20 Preserve New Jersey Green Acres Fund, and shall be specifically
21 dedicated for the issuance of additional loans in the same manner as
22 provided in subsection b. of section 27 of P.L.1999, c.152
23 (C.13:8C-27).

24 d. (1) The moneys in the fund are specifically dedicated and
25 shall be used for the same purposes and according to the same
26 criteria and provisions as those set forth in section 26 of P.L.1999,
27 c.152 (C.13:8C-26), and as provided pursuant to **[this act]**
28 P.L.2016, c.12 (C.13:8C-43 et seq.) and paragraph (3) of this
29 subsection .

30 (2) Grants and loans issued to local government units and grants
31 issued to qualifying tax exempt nonprofit organizations using
32 constitutionally dedicated CBT moneys for the acquisition and
33 development of lands for recreation and conservation purposes shall
34 be subject to the same provisions as those prescribed in section 27
35 of P.L.1999, c.152 (C.13:8C-27), except as otherwise provided in
36 section 10 of **[this act]** P.L.2016, c.12 (C.13:8C-52) .

37 (3) Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
38 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
39 projects of the Palisades Interstate Park Commission established
40 pursuant to P.L.1980, c.104 (C.32:14-1.1 et seq.) for the acquisition
41 or development of land for recreation and conservation purposes in
42 New Jersey shall be considered State projects for the purposes of
43 eligibility for funding pursuant to the provisions of P.L.2016, c.12
44 (C.13:8C-43 et seq.).

45 e. Moneys in the fund shall not be expended except in
46 accordance with appropriations from the fund made by law. Any
47 act appropriating moneys from the Preserve New Jersey Green
48 Acres Fund shall identify any particular project or projects to be

1 funded by the moneys, and any expenditure for a project for which
2 the location is not identified by municipality and county in the
3 appropriation shall require the approval of the Joint Budget
4 Oversight Committee, or its successor, except as permitted
5 otherwise in accordance with the same exceptions as those specified
6 in paragraph (2) of subsection a. of section 23 of P.L.1999, c.152
7 (C.13:8C-23).

8 f. Unexpended moneys due to project withdrawals,
9 cancellations, or cost savings shall be returned to the fund.

10 g. Of the amount authorized pursuant to this section, not more
11 than five percent shall be utilized for organizational, administrative
12 and other work and services, including salaries, equipment and
13 materials necessary to administer the applicable provisions of this
14 act.

15 h. To the end that municipalities may not suffer a loss of taxes
16 by reason of the acquisition and ownership by the State of lands in
17 fee simple for recreation and conservation purposes, or the
18 acquisition and ownership by qualifying tax exempt nonprofit
19 organizations of lands in fee simple for recreation and conservation
20 purposes that become certified as exempt from property taxes
21 pursuant to P.L.1974, c.167 (C.54:4-3.63 et seq.) or similar laws,
22 the State shall make payments annually in the same manner as
23 payments are made pursuant to section 29 of P.L.1999, c.152
24 (C.13:8C-29).

25 i. The State shall not use the power of eminent domain in any
26 manner for the acquisition of lands by the State for recreation and
27 conservation purposes using constitutionally dedicated CBT
28 moneys in whole or in part unless a concurrent resolution approving
29 that use is approved by both Houses of the Legislature; except that,
30 without the need for such a concurrent resolution, the State may use
31 the power of eminent domain to the extent necessary to establish a
32 value for lands to be acquired from a willing seller by the State for
33 recreation and conservation purposes using constitutionally
34 dedicated CBT moneys in whole or in part.

35 (cf: P.L.2016, c.12, s.6)

36

37 2. Section 9 of P.L.2016, c.12 (C.13:8C-51) is amended to read
38 as follows:

39 9. a. The State Treasurer shall establish a fund to be known as
40 the "Preserve New Jersey Historic Preservation Fund" and shall
41 deposit all moneys received pursuant to paragraph (4) of subsection
42 a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47) and any
43 other moneys appropriated by law for deposit into the fund.

44 Moneys in the fund shall be invested in permitted investments or
45 shall be held in interest-bearing accounts in those depositories as
46 the State Treasurer may select, and may be invested and reinvested
47 in permitted investments or as other trust funds in the custody of the
48 State Treasurer in the manner provided by law. All interest or other

1 income or earnings derived from the investment or reinvestment of
2 moneys in the fund shall be credited to the fund.

3 b. (1) The moneys in the fund are specifically dedicated and
4 shall be used for the same purposes as those set forth in section 41
5 of P.L.1999, c.152 (C.13:8C-41), and for emergency intervention
6 and the acquisition of historic preservation easements.

7 (2) Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
8 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
9 the Palisades Interstate Park Commission established pursuant to
10 P.L.1980, c.104 (C.32:14-1.1 et seq.) shall be eligible for grants
11 pursuant to the provisions of section 41 of P.L.1999, c.152
12 (C.13:8C-41) for projects located in New Jersey. A project by the
13 Palisades Interstate Park Commission for historic preservation
14 purposes shall be subject to the same criteria and conditions set
15 forth in section 41 of P.L.1999, c.152 (C.13:8C-41) applicable to a
16 project by a local government unit.

17 c. Moneys in the fund shall not be expended except in
18 accordance with appropriations from the fund made by law. Any
19 act appropriating moneys from the Preserve New Jersey Historic
20 Preservation Fund shall identify any particular project or projects to
21 be funded by the moneys, and any expenditure for a project for
22 which the location is not identified by municipality and county in
23 the appropriation shall require the approval of the Joint Budget
24 Oversight Committee, or its successor.

25 d. Unexpended moneys due to project withdrawals,
26 cancellations, or cost savings shall be returned to the fund.
27 (cf: P.L.2016, c.12, s.9)

28

29 3. Section 5 of P.L.1980, c.104 (C.32:14-1.5) is amended to
30 read as follows:

31 5. a. Commission projects for the acquisition or development
32 of land for recreation and conservation purposes shall be considered
33 State projects for the purposes of eligibility for funding pursuant to
34 the provisions of the "New Jersey Green Acres Bond Act of 1961"
35 (P.L.1961, c.46), the "New Jersey Green Acres Bond Act of 1971"
36 (P.L.1971, c.165), the "New Jersey Green Acres and Recreation
37 Opportunities Bond Act of 1974" (P.L.1974, c. 108), the "New
38 Jersey Green Acres Bond Act of 1978" (P.L.1978, c. 118), as well
39 as any other Green Acres Bond Act adopted subsequent to the
40 effective date of this amendatory and supplementary act. Requests
41 by the commission for funding shall be submitted to the department
42 and reviewed in the same manner as similar requests from other
43 State departments, divisions, agencies, or instrumentalities thereof.

44 b. The commission shall coordinate its planning for the
45 acquisition, development, and use of lands for recreation and
46 conservation purposes with planning conducted by the department
47 for the preparation and revision of: (1) the Comprehensive Master
48 Plan, pursuant to P.L.1977, c.348 (C.13:8A-55); and (2) the New

1 Jersey Statewide Comprehensive Outdoor Recreation Plan, pursuant
2 to the “Federal Land and Water Conservation Fund Act of 1965”
3 (P.L.94-422).

4 c. Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
5 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
6 (1) a project of the commission for the acquisition or development
7 of land for recreation and conservation purposes in New Jersey
8 shall be considered a State project for the purposes of eligibility for
9 funding pursuant to the provisions of P.L.2016, c.12 (C.13:8C-43 et
10 seq.), and (2) a project of the commission for historic preservation
11 purposes in New Jersey shall be subject to the same criteria and
12 conditions set forth in section 41 of P.L.1999, c.152 (C.13:8C-41)
13 applicable to a project by a local government unit.
14 (cf: P.L.1980, c.104, s.5)

15

16 4. This act shall take effect immediately.

17

18

19

20

21 _____
22 Makes Palisades Interstate Park Commission eligible for certain
open space and historic preservation funding.

ASSEMBLY, No. 1033

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Makes Palisades Interstate Park Commission eligible for certain open space and historic preservation funding.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the Palisades Interstate Park Commission and
2 certain funding for recreation and conservation and historic
3 preservation purposes, and amending P.L.2016, c.12 and
4 P.L.1980, c.104.

5

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

8

9 1. Section 6 of P.L.2016, c.12 (C.13:8C-48) is amended to read
10 as follows:

11 6. a. The State Treasurer shall establish a fund to be known as
12 the "Preserve New Jersey Green Acres Fund" and shall deposit into
13 the fund all moneys received pursuant to paragraph (1) of
14 subsection a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47)
15 and any other moneys appropriated by law for deposit into the fund.

16 Moneys in the fund shall be invested in permitted investments or
17 shall be held in interest-bearing accounts in those depositories as
18 the State Treasurer may select, and may be invested and reinvested
19 in permitted investments or as other trust funds in the custody of the
20 State Treasurer in the manner provided by law. All interest or other
21 income or earnings derived from the investment or reinvestment of
22 moneys in the fund shall be credited to the fund. Moneys derived
23 from the payment of principal and interest on the loans to local
24 government units authorized by this act shall also be held in the
25 fund.

26 b. Of the amount deposited each State fiscal year into the
27 Preserve New Jersey Green Acres Fund pursuant to paragraph (1) of
28 subsection a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47):

29 (1) 55 percent shall be allocated for the purpose of paying the
30 cost of acquisition and development of lands by the State for
31 recreation and conservation purposes, and the amount provided
32 pursuant to this paragraph shall be allocated as follows:

33 (a) 50 percent shall be allocated for the purpose of paying the
34 cost of acquisition of lands by the State for recreation and
35 conservation purposes; and

36 (b) 50 percent shall be allocated for the purpose of paying the
37 cost of development of lands by the State for recreation and
38 conservation purposes, and of the amount provided pursuant to this
39 subparagraph:

40 (i) up to 22 percent shall be allocated for the purpose of paying
41 the cost for stewardship activities undertaken on lands administered
42 by the Division of Fish and Wildlife in the department; and

43 (ii) up to 22 percent shall be allocated for the purpose of paying
44 the cost for stewardship activities undertaken on lands administered
45 by the Division of Parks and Forestry in the department;

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 (2) 38 percent shall be allocated for the purposes of providing
2 grants and loans to assist local government units to pay the cost of
3 acquisition and development of lands for recreation and
4 conservation purposes, and of this amount, up to 2 percent shall be
5 allocated for stewardship activities undertaken by local government
6 units; and

7 (3) 7 percent shall be allocated for the purposes of providing
8 grants to assist qualifying tax exempt nonprofit organizations to pay
9 the cost of acquisition and development of lands for recreation and
10 conservation purposes, and of this amount, 11 percent shall be
11 allocated for stewardship activities undertaken by qualifying tax
12 exempt nonprofit organizations.

13 c. Any repayments of the principal and interest on loans issued
14 to local government units for the acquisition or development of
15 lands for recreation and conservation purposes using
16 constitutionally dedicated CBT moneys shall be deposited into the
17 Preserve New Jersey Green Acres Fund, and shall be specifically
18 dedicated for the issuance of additional loans in the same manner as
19 provided in subsection b. of section 27 of P.L.1999, c.152
20 (C.13:8C-27).

21 d. (1) The moneys in the fund are specifically dedicated and
22 shall be used for the same purposes and according to the same
23 criteria and provisions as those set forth in section 26 of P.L.1999,
24 c.152 (C.13:8C-26), and as provided pursuant to **[this act]**
25 P.L.2016, c.12 (C.13:8C-43 et seq.) and paragraph (3) of this
26 subsection .

27 (2) Grants and loans issued to local government units and grants
28 issued to qualifying tax exempt nonprofit organizations using
29 constitutionally dedicated CBT moneys for the acquisition and
30 development of lands for recreation and conservation purposes shall
31 be subject to the same provisions as those prescribed in section 27
32 of P.L.1999, c.152 (C.13:8C-27), except as otherwise provided in
33 section 10 of **[this act]** P.L.2016, c.12 (C.13:8C-52) .

34 (3) Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
35 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
36 projects of the Palisades Interstate Park Commission established
37 pursuant to P.L.1980, c.104 (C.32:14-1.1 et seq.) for the acquisition
38 or development of land for recreation and conservation purposes in
39 New Jersey shall be considered State projects for the purposes of
40 eligibility for funding pursuant to the provisions of P.L.2016, c.12
41 (C.13:8C-43 et seq.).

42 e. Moneys in the fund shall not be expended except in
43 accordance with appropriations from the fund made by law. Any
44 act appropriating moneys from the Preserve New Jersey Green
45 Acres Fund shall identify any particular project or projects to be
46 funded by the moneys, and any expenditure for a project for which
47 the location is not identified by municipality and county in the
48 appropriation shall require the approval of the Joint Budget

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1 Oversight Committee, or its successor, except as permitted
2 otherwise in accordance with the same exceptions as those specified
3 in paragraph (2) of subsection a. of section 23 of P.L.1999, c.152
4 (C.13:8C-23).

5 f. Unexpended moneys due to project withdrawals,
6 cancellations, or cost savings shall be returned to the fund.

7 g. Of the amount authorized pursuant to this section, not more
8 than five percent shall be utilized for organizational, administrative
9 and other work and services, including salaries, equipment and
10 materials necessary to administer the applicable provisions of this
11 act.

12 h. To the end that municipalities may not suffer a loss of taxes
13 by reason of the acquisition and ownership by the State of lands in
14 fee simple for recreation and conservation purposes, or the
15 acquisition and ownership by qualifying tax exempt nonprofit
16 organizations of lands in fee simple for recreation and conservation
17 purposes that become certified as exempt from property taxes
18 pursuant to P.L.1974, c.167 (C.54:4-3.63 et seq.) or similar laws,
19 the State shall make payments annually in the same manner as
20 payments are made pursuant to section 29 of P.L.1999, c.152
21 (C.13:8C-29).

22 i. The State shall not use the power of eminent domain in any
23 manner for the acquisition of lands by the State for recreation and
24 conservation purposes using constitutionally dedicated CBT
25 moneys in whole or in part unless a concurrent resolution approving
26 that use is approved by both Houses of the Legislature; except that,
27 without the need for such a concurrent resolution, the State may use
28 the power of eminent domain to the extent necessary to establish a
29 value for lands to be acquired from a willing seller by the State for
30 recreation and conservation purposes using constitutionally
31 dedicated CBT moneys in whole or in part.

32 (cf: P.L.2016, c.12, s.6)

33

34 2. Section 9 of P.L.2016, c.12 (C.13:8C-51) is amended to read
35 as follows:

36 9. a. The State Treasurer shall establish a fund to be known as
37 the "Preserve New Jersey Historic Preservation Fund" and shall
38 deposit all moneys received pursuant to paragraph (4) of subsection
39 a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47) and any
40 other moneys appropriated by law for deposit into the fund.

41 Moneys in the fund shall be invested in permitted investments or
42 shall be held in interest-bearing accounts in those depositories as
43 the State Treasurer may select, and may be invested and reinvested
44 in permitted investments or as other trust funds in the custody of the
45 State Treasurer in the manner provided by law. All interest or other
46 income or earnings derived from the investment or reinvestment of
47 moneys in the fund shall be credited to the fund.

1 b. (1) The moneys in the fund are specifically dedicated and
2 shall be used for the same purposes as those set forth in section 41
3 of P.L.1999, c.152 (C.13:8C-41), and for emergency intervention
4 and the acquisition of historic preservation easements.

5 (2) Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
6 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
7 the Palisades Interstate Park Commission established pursuant to
8 P.L.1980, c.104 (C.32:14-1.1 et seq.) shall be eligible for grants
9 pursuant to the provisions of section 41 of P.L.1999, c.152
10 (C.13:8C-41) for projects located in New Jersey. A project by the
11 Palisades Interstate Park Commission for historic preservation
12 purposes shall be subject to the same criteria and conditions set
13 forth in section 41 of P.L.1999, c.152 (C.13:8C-41) applicable to a
14 project by a local government unit.

15 c. Moneys in the fund shall not be expended except in
16 accordance with appropriations from the fund made by law. Any
17 act appropriating moneys from the Preserve New Jersey Historic
18 Preservation Fund shall identify any particular project or projects to
19 be funded by the moneys, and any expenditure for a project for
20 which the location is not identified by municipality and county in
21 the appropriation shall require the approval of the Joint Budget
22 Oversight Committee, or its successor.

23 d. Unexpended moneys due to project withdrawals,
24 cancellations, or cost savings shall be returned to the fund.
25 (cf: P.L.2016, c.12, s.9)

26
27 3. Section 5 of P.L.1980, c.104 (C.32:14-1.5) is amended to
28 read as follows:

29 5. a. Commission projects for the acquisition or development
30 of land for recreation and conservation purposes shall be considered
31 State projects for the purposes of eligibility for funding pursuant to
32 the provisions of the “New Jersey Green Acres Bond Act of 1961”
33 (P.L.1961, c.46), the “New Jersey Green Acres Bond Act of 1971”
34 (P.L.1971, c.165), the “New Jersey Green Acres and Recreation
35 Opportunities Bond Act of 1974” (P.L.1974, c. 108), the “New
36 Jersey Green Acres Bond Act of 1978” (P.L.1978, c. 118), as well
37 as any other Green Acres Bond Act adopted subsequent to the
38 effective date of this amendatory and supplementary act. Requests
39 by the commission for funding shall be submitted to the department
40 and reviewed in the same manner as similar requests from other
41 State departments, divisions, agencies, or instrumentalities thereof.

42 b. The commission shall coordinate its planning for the
43 acquisition, development, and use of lands for recreation and
44 conservation purposes with planning conducted by the department
45 for the preparation and revision of: (1) the Comprehensive Master
46 Plan, pursuant to P.L.1977, c.348 (C.13:8A-55); and (2) the New
47 Jersey Statewide Comprehensive Outdoor Recreation Plan, pursuant

1 to the “Federal Land and Water Conservation Fund Act of 1965”
2 (P.L.94-422).
3 c. Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
4 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
5 (1) a project of the commission for the acquisition or development
6 of land for recreation and conservation purposes in New Jersey
7 shall be considered a State project for the purposes of eligibility for
8 funding pursuant to the provisions of P.L.2016, c.12 (C.13:8C-43 et
9 seq.), and (2) a project of the commission for historic preservation
10 purposes in New Jersey shall be subject to the same criteria and
11 conditions set forth in section 41 of P.L.1999, c.152 (C.13:8C-41)
12 applicable to a project by a local government unit.
13 (cf: P.L.1980, c.104, s.5)

14
15 4. This act shall take effect immediately.

16
17
18 STATEMENT

19
20 This bill would amend current law to specify that the Palisades
21 Interstate Park Commission (PIPC) would be eligible for open
22 space and historic preservation funding made available pursuant to
23 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
24 seq.), for open space and historic preservation projects located in
25 New Jersey.

26 The “Preserve New Jersey Act” implements for State fiscal years
27 2017 through 2019, the constitutional dedication of corporation
28 business tax (CBT) revenues pursuant to Article VIII, Section II,
29 paragraph 6 of the State Constitution, approved by the voters of the
30 State in November 2014, for open space, farmland, and historic
31 preservation. Of these dedicated funds: 60 percent are to be used
32 for acquiring and developing lands for public recreation and
33 conservation purposes, including lands that protect water supplies,
34 under the Green Acres program; 4 percent are to be used for the
35 “Blue Acres” program; 31 percent are to be used for farmland
36 preservation purposes; and 5 percent are to be used for historic
37 preservation purposes. Of this funding, the act provides that of the
38 60 percent of dedicated CBT revenues allocated each year for the
39 Green Acres program: 55 percent would be used for State open
40 space acquisition and development projects; 38 percent would be
41 used for grants and loans to fund local government open space
42 acquisition and development projects; and 7 percent would be used
43 for grants to fund open space acquisition and development projects
44 undertaken by qualifying tax exempt nonprofit organizations. Of
45 the funding for State open space acquisition and development
46 projects: 50 percent would be used for acquisition projects and 50
47 percent would be used for development projects. Further, of the
48 funding for State open space development projects, up to 22 percent

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1 would be used for stewardship activities undertaken on lands
2 administered by the Division of Fish and Wildlife and up to 22
3 percent would be used for stewardship activities undertaken on
4 lands administered by the Division of Parks and Forestry. In
5 addition, the act provides that the dedicated CBT revenues allocated
6 for historic preservation purposes are to be used to provide grants to
7 local government units and qualifying tax exempt nonprofit
8 organizations, and for emergency intervention and the acquisition of
9 historic property easements.

10 Under this bill, PIPC would be considered to be an eligible
11 applicant for open space and historic preservation funding for
12 projects located in New Jersey. A project by PIPC would be
13 considered as a “State” project for the purposes of eligibility for
14 open space funding. In the case of funding for historic preservation
15 purposes, a project by PIPC would be eligible for funding and
16 subject to the same application process, criteria, and conditions as a
17 project by a local government unit.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1033

STATE OF NEW JERSEY

DATED: FEBRUARY 1, 2018

The Assembly Environment and Solid Waste Committee reports favorably Assembly Bill No. 1033.

This bill would amend current law to specify that the Palisades Interstate Park Commission (PIPC) would be eligible for open space and historic preservation funding made available pursuant to the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), for open space and historic preservation projects located in New Jersey.

The “Preserve New Jersey Act” implements for State fiscal years 2017 through 2019, the constitutional dedication of corporation business tax (CBT) revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. Of these dedicated funds: 60 percent are to be used for acquiring and developing lands for public recreation and conservation purposes, including lands that protect water supplies, under the Green Acres program; 4 percent are to be used for the “Blue Acres” program; 31 percent are to be used for farmland preservation purposes; and 5 percent are to be used for historic preservation purposes. Of this funding, the act provides that of the 60 percent of dedicated CBT revenues allocated each year for the Green Acres program: 55 percent would be used for State open space acquisition and development projects; 38 percent would be used for grants and loans to fund local government open space acquisition and development projects; and 7 percent would be used for grants to fund open space acquisition and development projects undertaken by qualifying tax exempt nonprofit organizations. Of the funding for State open space acquisition and development projects: 50 percent would be used for acquisition projects and 50 percent would be used for development projects. Further, of the funding for State open space development projects, up to 22 percent would be used for stewardship activities undertaken on lands administered by the Division of Fish and Wildlife and up to 22 percent would be used for stewardship activities undertaken on lands administered by the Division of Parks and Forestry. In addition, the act provides that the dedicated CBT revenues allocated for historic preservation purposes are to be used to provide grants to local government units and qualifying tax exempt nonprofit organizations,

and for emergency intervention and the acquisition of historic property easements.

Under this bill, PIPC would be considered to be an eligible applicant for open space and historic preservation funding for projects located in New Jersey. A project by PIPC would be considered as a “State” project for the purposes of eligibility for open space funding. In the case of funding for historic preservation purposes, a project by PIPC would be eligible for funding and subject to the same application process, criteria, and conditions as a project by a local government unit.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1033

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 1033.

This bill would amend current law to specify that the Palisades Interstate Park Commission (PIPC) would be eligible for open space and historic preservation funding made available pursuant to the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), for open space and historic preservation projects located in New Jersey.

The “Preserve New Jersey Act” implements for State fiscal years 2017 through 2019, the constitutional dedication of corporation business tax (CBT) revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. Under this bill, PIPC would be considered to be an eligible applicant for open space and historic preservation funding for projects located in New Jersey. A project by PIPC would be considered as a “State” project for the purposes of eligibility for open space funding. In the case of funding for historic preservation purposes, a project by PIPC would be eligible for funding and subject to the same application process, criteria, and conditions as a project by a local government unit.

This bill is identical to Senate Bill No. 1760, which was also reported by the committee.

SENATE, No. 1760

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED FEBRUARY 5, 2018

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

SYNOPSIS

Makes Palisades Interstate Park Commission eligible for certain open space and historic preservation funding.

CURRENT VERSION OF TEXT

As introduced.



S1760 WEINBERG

2

1 AN ACT concerning the Palisades Interstate Park Commission and
2 certain funding for recreation and conservation and historic
3 preservation purposes, and amending P.L.2016, c.12 and
4 P.L.1980, c.104.

5

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

8

9 1. Section 6 of P.L.2016, c.12 (C.13:8C-48) is amended to read
10 as follows:

11 6. a. The State Treasurer shall establish a fund to be known as
12 the "Preserve New Jersey Green Acres Fund" and shall deposit into
13 the fund all moneys received pursuant to paragraph (1) of
14 subsection a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47)
15 and any other moneys appropriated by law for deposit into the fund.

16 Moneys in the fund shall be invested in permitted investments or
17 shall be held in interest-bearing accounts in those depositories as
18 the State Treasurer may select, and may be invested and reinvested
19 in permitted investments or as other trust funds in the custody of the
20 State Treasurer in the manner provided by law. All interest or other
21 income or earnings derived from the investment or reinvestment of
22 moneys in the fund shall be credited to the fund. Moneys derived
23 from the payment of principal and interest on the loans to local
24 government units authorized by this act shall also be held in the
25 fund.

26 b. Of the amount deposited each State fiscal year into the
27 Preserve New Jersey Green Acres Fund pursuant to paragraph (1) of
28 subsection a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47):

29 (1) 55 percent shall be allocated for the purpose of paying the
30 cost of acquisition and development of lands by the State for
31 recreation and conservation purposes, and the amount provided
32 pursuant to this paragraph shall be allocated as follows:

33 (a) 50 percent shall be allocated for the purpose of paying the
34 cost of acquisition of lands by the State for recreation and
35 conservation purposes; and

36 (b) 50 percent shall be allocated for the purpose of paying the
37 cost of development of lands by the State for recreation and
38 conservation purposes, and of the amount provided pursuant to this
39 subparagraph:

40 (i) up to 22 percent shall be allocated for the purpose of paying
41 the cost for stewardship activities undertaken on lands administered
42 by the Division of Fish and Wildlife in the department; and

43 (ii) up to 22 percent shall be allocated for the purpose of paying
44 the cost for stewardship activities undertaken on lands administered
45 by the Division of Parks and Forestry in the department;

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 (2) 38 percent shall be allocated for the purposes of providing
2 grants and loans to assist local government units to pay the cost of
3 acquisition and development of lands for recreation and
4 conservation purposes, and of this amount, up to 2 percent shall be
5 allocated for stewardship activities undertaken by local government
6 units; and

7 (3) 7 percent shall be allocated for the purposes of providing
8 grants to assist qualifying tax exempt nonprofit organizations to pay
9 the cost of acquisition and development of lands for recreation and
10 conservation purposes, and of this amount, 11 percent shall be
11 allocated for stewardship activities undertaken by qualifying tax
12 exempt nonprofit organizations.

13 c. Any repayments of the principal and interest on loans issued
14 to local government units for the acquisition or development of
15 lands for recreation and conservation purposes using
16 constitutionally dedicated CBT moneys shall be deposited into the
17 Preserve New Jersey Green Acres Fund, and shall be specifically
18 dedicated for the issuance of additional loans in the same manner as
19 provided in subsection b. of section 27 of P.L.1999, c.152
20 (C.13:8C-27).

21 d. (1) The moneys in the fund are specifically dedicated and
22 shall be used for the same purposes and according to the same
23 criteria and provisions as those set forth in section 26 of P.L.1999,
24 c.152 (C.13:8C-26), and as provided pursuant to **[this act]**
25 P.L.2016, c.12 (C.13:8C-43 et seq.) and paragraph (3) of this
26 subsection .

27 (2) Grants and loans issued to local government units and grants
28 issued to qualifying tax exempt nonprofit organizations using
29 constitutionally dedicated CBT moneys for the acquisition and
30 development of lands for recreation and conservation purposes shall
31 be subject to the same provisions as those prescribed in section 27
32 of P.L.1999, c.152 (C.13:8C-27), except as otherwise provided in
33 section 10 of **[this act]** P.L.2016, c.12 (C.13:8C-52).

34 (3) Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
35 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
36 projects of the Palisades Interstate Park Commission established
37 pursuant to P.L.1980, c.104 (C.32:14-1.1 et seq.) for the acquisition
38 or development of land for recreation and conservation purposes in
39 New Jersey shall be considered State projects for the purposes of
40 eligibility for funding pursuant to the provisions of P.L.2016, c.12
41 (C.13:8C-43 et seq.).

42 e. Moneys in the fund shall not be expended except in
43 accordance with appropriations from the fund made by law. Any
44 act appropriating moneys from the Preserve New Jersey Green
45 Acres Fund shall identify any particular project or projects to be
46 funded by the moneys, and any expenditure for a project for which
47 the location is not identified by municipality and county in the
48 appropriation shall require the approval of the Joint Budget

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1 Oversight Committee, or its successor, except as permitted
2 otherwise in accordance with the same exceptions as those specified
3 in paragraph (2) of subsection a. of section 23 of P.L.1999, c.152
4 (C.13:8C-23).

5 f. Unexpended moneys due to project withdrawals,
6 cancellations, or cost savings shall be returned to the fund.

7 g. Of the amount authorized pursuant to this section, not more
8 than five percent shall be utilized for organizational, administrative
9 and other work and services, including salaries, equipment and
10 materials necessary to administer the applicable provisions of this
11 act.

12 h. To the end that municipalities may not suffer a loss of taxes
13 by reason of the acquisition and ownership by the State of lands in
14 fee simple for recreation and conservation purposes, or the
15 acquisition and ownership by qualifying tax exempt nonprofit
16 organizations of lands in fee simple for recreation and conservation
17 purposes that become certified as exempt from property taxes
18 pursuant to P.L.1974, c.167 (C.54:4-3.63 et seq.) or similar laws,
19 the State shall make payments annually in the same manner as
20 payments are made pursuant to section 29 of P.L.1999, c.152
21 (C.13:8C-29).

22 i. The State shall not use the power of eminent domain in any
23 manner for the acquisition of lands by the State for recreation and
24 conservation purposes using constitutionally dedicated CBT
25 moneys in whole or in part unless a concurrent resolution approving
26 that use is approved by both Houses of the Legislature; except that,
27 without the need for such a concurrent resolution, the State may use
28 the power of eminent domain to the extent necessary to establish a
29 value for lands to be acquired from a willing seller by the State for
30 recreation and conservation purposes using constitutionally
31 dedicated CBT moneys in whole or in part.

32 (cf: P.L.2016, c.12, s.6)

33

34 2. Section 9 of P.L.2016, c.12 (C.13:8C-51) is amended to read
35 as follows:

36 9. a. The State Treasurer shall establish a fund to be known as
37 the "Preserve New Jersey Historic Preservation Fund" and shall
38 deposit all moneys received pursuant to paragraph (4) of subsection
39 a. of section 5 of **[this act]** P.L.2016, c.12 (C.13:8C-47) and any
40 other moneys appropriated by law for deposit into the fund.

41 Moneys in the fund shall be invested in permitted investments or
42 shall be held in interest-bearing accounts in those depositories as
43 the State Treasurer may select, and may be invested and reinvested
44 in permitted investments or as other trust funds in the custody of the
45 State Treasurer in the manner provided by law. All interest or other
46 income or earnings derived from the investment or reinvestment of
47 moneys in the fund shall be credited to the fund.

1 b. (1) The moneys in the fund are specifically dedicated and
2 shall be used for the same purposes as those set forth in section 41
3 of P.L.1999, c.152 (C.13:8C-41), and for emergency intervention
4 and the acquisition of historic preservation easements.

5 (2) Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
6 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
7 the Palisades Interstate Park Commission established pursuant to
8 P.L.1980, c.104 (C.32:14-1.1 et seq.) shall be eligible for grants
9 pursuant to the provisions of section 41 of P.L.1999, c.152
10 (C.13:8C-41) for projects located in New Jersey. A project by the
11 Palisades Interstate Park Commission for historic preservation
12 purposes shall be subject to the same criteria and conditions set
13 forth in section 41 of P.L.1999, c.152 (C.13:8C-41) applicable to a
14 project by a local government unit.

15 c. Moneys in the fund shall not be expended except in
16 accordance with appropriations from the fund made by law. Any
17 act appropriating moneys from the Preserve New Jersey Historic
18 Preservation Fund shall identify any particular project or projects to
19 be funded by the moneys, and any expenditure for a project for
20 which the location is not identified by municipality and county in
21 the appropriation shall require the approval of the Joint Budget
22 Oversight Committee, or its successor.

23 d. Unexpended moneys due to project withdrawals,
24 cancellations, or cost savings shall be returned to the fund.
25 (cf: P.L.2016, c.12, s.9)

26
27 3. Section 5 of P.L.1980, c.104 (C.32:14-1.5) is amended to
28 read as follows:

29 5. a. Commission projects for the acquisition or development
30 of land for recreation and conservation purposes shall be considered
31 State projects for the purposes of eligibility for funding pursuant to
32 the provisions of the “New Jersey Green Acres Bond Act of 1961”
33 (P.L.1961, c.46), the “New Jersey Green Acres Bond Act of 1971”
34 (P.L.1971, c.165), the “New Jersey Green Acres and Recreation
35 Opportunities Bond Act of 1974” (P.L.1974, c. 108), the “New
36 Jersey Green Acres Bond Act of 1978” (P.L.1978, c. 118), as well
37 as any other Green Acres Bond Act adopted subsequent to the
38 effective date of this amendatory and supplementary act. Requests
39 by the commission for funding shall be submitted to the department
40 and reviewed in the same manner as similar requests from other
41 State departments, divisions, agencies, or instrumentalities thereof.

42 b. The commission shall coordinate its planning for the
43 acquisition, development, and use of lands for recreation and
44 conservation purposes with planning conducted by the department
45 for the preparation and revision of : (1) the Comprehensive Master
46 Plan, pursuant to P.L.1977, c.348 (C.13:8A-55); and (2) the New
47 Jersey Statewide Comprehensive Outdoor Recreation Plan, pursuant

1 to the “Federal Land and Water Conservation Fund Act of 1965”
2 (P.L.94-422).

3 c. Notwithstanding any provision of P.L.2016, c.12 (C.13:8C-
4 43 et seq.) or P.L.1999, c.152 (C.13:8C-1 et seq.) to the contrary,
5 (1) a project of the commission for the acquisition or development
6 of land for recreation and conservation purposes in New Jersey
7 shall be considered a State project for the purposes of eligibility for
8 funding pursuant to the provisions of P.L.2016, c.12 (C.13:8C-43 et
9 seq.), and (2) a project of the commission for historic preservation
10 purposes in New Jersey shall be subject to the same criteria and
11 conditions set forth in section 41 of P.L.1999, c.152 (C.13:8C-41)
12 applicable to a project by a local government unit.
13 (cf: P.L.1980, c.104, s.5)

14

15 4. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill would amend current law to specify that the Palisades
21 Interstate Park Commission (PIPC) would be eligible for open
22 space and historic preservation funding made available pursuant to
23 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
24 seq.), for open space and historic preservation projects located in
25 New Jersey.

26 The “Preserve New Jersey Act” implements for State fiscal years
27 2017 through 2019, the constitutional dedication of corporation
28 business tax (CBT) revenues pursuant to Article VIII, Section II,
29 paragraph 6 of the State Constitution, approved by the voters of the
30 State in November 2014, for open space, farmland, and historic
31 preservation. Of these dedicated funds: 60 percent are to be used
32 for acquiring and developing lands for public recreation and
33 conservation purposes, including lands that protect water supplies,
34 under the Green Acres program; 4 percent are to be used for the
35 “Blue Acres” program; 31 percent are to be used for farmland
36 preservation purposes; and 5 percent are to be used for historic
37 preservation purposes. Of this funding, the act provides that of the
38 60 percent of dedicated CBT revenues allocated each year for the
39 Green Acres program: 55 percent would be used for State open
40 space acquisition and development projects; 38 percent would be
41 used for grants and loans to fund local government open space
42 acquisition and development projects; and 7 percent would be used
43 for grants to fund open space acquisition and development projects
44 undertaken by qualifying tax exempt nonprofit organizations. Of
45 the funding for State open space acquisition and development
46 projects: 50 percent would be used for acquisition projects and 50
47 percent would be used for development projects. Further, of the
48 funding for State open space development projects, up to 22 percent

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7

1 would be used for stewardship activities undertaken on lands
2 administered by the Division of Fish and Wildlife and up to 22
3 percent would be used for stewardship activities undertaken on
4 lands administered by the Division of Parks and Forestry. In
5 addition, the act provides that the dedicated CBT revenues allocated
6 for historic preservation purposes are to be used to provide grants to
7 local government units and qualifying tax exempt nonprofit
8 organizations, and for emergency intervention and the acquisition of
9 historic property easements.

10 Under this bill, PIPC would be considered to be an eligible
11 applicant for open space and historic preservation funding for
12 projects located in New Jersey. A project by PIPC would be
13 considered as a “State” project for the purposes of eligibility for
14 open space funding. In the case of funding for historic preservation
15 purposes, a project by PIPC would be eligible for funding and
16 subject to the same application process, criteria, and conditions as a
17 project by a local government unit.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 1760

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1760.

This bill would amend current law to specify that the Palisades Interstate Park Commission (PIPC) would be eligible for open space and historic preservation funding made available pursuant to the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), for open space and historic preservation projects located in New Jersey.

The “Preserve New Jersey Act” implements for State fiscal years 2017 through 2019, the constitutional dedication of corporation business tax (CBT) revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. Under this bill, PIPC would be considered to be an eligible applicant for open space and historic preservation funding for projects located in New Jersey. A project by PIPC would be considered as a “State” project for the purposes of eligibility for open space funding. In the case of funding for historic preservation purposes, a project by PIPC would be eligible for funding and subject to the same application process, criteria, and conditions as a project by a local government unit.

This bill is identical to Assembly Bill No. 1033, which was also reported by the committee.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

08/17/2018

TRENTON – Governor Phil Murphy earlier today signed the following bills into law:

AJR-125/SJR-85 (Quijano, Jimenez/Pou, Cruz-Perez) - Designates June 20th annually as “World Refugee Day” in New Jersey.

ACS for A-538/S-2257 (Mazzeo, Murphy, Mukherji/Beach) - Permits county governing body, with approval of county board of taxation, to revise real property assessment calendar.

A-1033/S-1760 (Johnson, Vainieri Huttel/Weinberg) - Makes Palisades Interstate Park Commission eligible for certain open space and historic preservation funding.

A-1627/S-1873 (Schepisi, A.M. Bucco, Auth, Danielsen, DiMaio/Sarlo, T. Kean) - Provides that PERS or PFRS member who continues to be volunteer firefighter or emergency services worker after retirement with employer from whom member retires has bona fide severance for compliance with State and federal law.

A-2041/S-1840 (Coughlin, Holley, Pintor Marin/Vitale, Gopal) - Establishes “Economic Redevelopment and Growth Grant Bond Financing Act,” authorizing issuance of bonds secured by pledge of Economic Redevelopment and Growth Grant proceeds, municipal liens, and special assessment; expands “Redevelopment Area Bond Financing Law;” extends time to complete certain projects under “Long Term Tax Exemption Law”.

ACS for A-2747, 880/S-1532 (Houghtaling, Downey, Munoz, Danielsen/Bateman) - Limits time continuing care retirement communities may retain refundable entrance fee after resident vacates facility; provides for disposition of certain personal property.

A-3704/S-2550 (DeAngelo, Space, Quijano/Cryan, Sweeney) - Clarifies training requirements of certain HVACR contractors.

A-3765/S-2456 (Houghtaling, Downey, Jones, Wimberly/Gopal, Oroho) - Permits school district superintendent to designate school employee with certain expertise as school safety specialist.

A-3888/S-2498 (Houghtaling, Downey, Egan/Gopal, Scutari) - Allows issuance of additional alcoholic beverage licenses within boundaries of formerly federally owned or operated military installations.

A-4065/S-2724 (Lopez, Mukherji/Vitale) - Authorizes State Treasurer to sell surplus real property located in Township of Woodbridge, Middlesex County.

A-4194/S-2738 (Coughlin/Weinberg, Beach) - Requires NJ Historical Commission to establish program for commemorations and observance of 250th anniversary of United States; permits commission to enter into public-private partnership agreement in preparation of anniversary; appropriates \$500,000.

S-767/A-3829 (Cunningham, Sweeney, T. Kean/Jasey) - Directs Secretary of Higher Education to establish

communication campaign to encourage students to enroll in 30 credits per year and institutions to report to secretary on strategies and incentives to accomplish this goal.

S-1265/A-3634 (Turner, Cruz-Perez, Singer/Jasey, Pinkin) - Provides that no more than 120 credits will be required for baccalaureate degree awarded by a public institution and no more than 60 credits for associate degree.

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Governor Phil Murphy

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