

CHAPTER 99 LAWS OF N. J. 19 73
APPROVED 5-2-73

SENATE, No. 620

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 10, 1972

By Senator DUMONT

Referred to Committee on Revenue, Finance and Appropriations

AN ACT to amend the "Farmland Assessment Act of 1964," approved May 11, 1964 (P. L. 1964, c. 48).

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

1 1. Section 5 of P. L. 1964, c. 48 (C. 54:4-23.5) is amended to read
2 as follows:

3 5. Land, *five acres in area*, shall be deemed to be actively devoted
4 to agricultural or horticultural use when the gross sales of agricul-
5 tural or horticultural products produced thereon together with any
6 payments received under a soil conservation program have aver-
7 aged at least \$500.00 per year during the 2-year period immediately
8 preceding the tax year in issue, or there is clear evidence of antici-
9 pated yearly gross sales and such payments amounting to at least
10 \$500.00 within a reasonable period of time.

11 *In addition, where the land is more than five acres in area, it shall*
12 *be deemed to be actively devoted to agricultural or horticultural*
13 *use when the gross sales of agricultural or horticultural products*
14 *produced on the area above five acres together with any payments*
15 *received under a soil conservation program have averaged at least*
16 *\$5.00 per acre per year during the 2-year period immediately pre-*
17 *ceding the tax year in issue, or there is clear evidence of anticipated*
18 *yearly gross sales and such payments amounting to an average of at*
19 *least \$5.00 per year within a reasonable period of time; except in the*
20 *case of woodland and wetland, where the minimum requirement*
21 *shall be an average of \$0.50 per acre on the area above five acres.*

22 *Land previously qualified as actively devoted to agricultural or*
23 *horticultural use under the act; but failing to meet the additional*
24 *requirement on acreage above five acres shall not be subject to the*
25 *roll-back tax because of such disqualification, but shall be treated*
26 *as land for which an annual application has not been submitted.*

1 2. This act shall take effect immediately except that the tax year
2 1973 shall be the first tax to which the amendatory provisions of
3 this act shall apply.

STATEMENT

This bill amends the Farmland Assessment Act of 1964 to provide for a variable standard on the amount of sales of agricultural products required for qualification under the act. On all acreage above five acres, this bill requires average sales of \$5.00 per acre on farmland; and \$0.50 per acre on woodland. The present act contains a single standard of \$500.00 sales, regardless of the size of acreage involved.

FROM THE OFFICE OF THE GOVERNOR

MAY 2, 1973

FOR RELEASE:
IMMEDIATE

Governor William T. Cahill today signed into law a bill amending the Farmland Assessment Act of 1964 by setting up more extensive qualifications.

Senate bill 620, sponsored by Senator Wayne Dumont (R., Warren), increases the requirements for obtaining the more favorable assessment. Under the previous law, a land owner could qualify when gross sales of agricultural or horticultural products totaled \$500.

The amendment sets up a requirement for a minimum of five acres of land producing agricultural or horticultural product sales valued at \$500. In addition, land in excess of the five acres must produce sales of agricultural or horticultural products at the rate of \$5 for each acre of land, except for woodland or wetlands where the amount is 50 cents per acre above five acres.

Commenting on the bill, Governor Cahill said, "As the most densely-populated State in the nation, we must do all we can to help preserve our open lands and to aid our agricultural industry which forms an important segment of the State's total economy. By strengthening the Farmland Assessment Act, we have taken another step in slowing the inroads of land speculators. This will help maintain the quality of our environment."

The Farmland Assessment Act was passed in 1964 to counter the loss of farmlands in New Jersey where farms were decreasing at the rate of three a day. Since 1950, farmland in New Jersey has decreased by some 600,000 acres.

Provisions of the Act will apply to the 1973 tax year.

The Governor also signed into law the following bills:

Senate bill 766, sponsored by former Senator Matthew J. Rinaldo (R., Union), which provides for visitation rights for grandparents where the parents are divorced or living separate, regardless of the existence of a court order or agreement.

-more-