

13:9B-4
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 272

NJSA: 13:9B-4 (Concerns exemptions from permits for certain agricultural activities under "Freshwater Wetlands Protection Act".)

BILL NO: A1958 (Substituted for S1848 (1R))

SPONSOR(S) Riley, Celeste M., and others

DATE INTRODUCED: January 16, 2014

COMMITTEE: **ASSEMBLY:** Agriculture and Natural Resources

SENATE: Environment and Energy

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 1/11/2016

SENATE: 1/11/2016

DATE OF APPROVAL: January 19, 2016

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

A1958

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE:

S1848 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

end

P.L.2015, CHAPTER 272, *approved January 19, 2016*
Assembly, No. 1958 (*First Reprint*)

1 AN ACT concerning freshwater wetlands ¹exemptions.¹ and
2 ¹**[supplementing]** amending¹ P.L.1987, c.156 ¹**[(C.13:9B-1 et**
3 **seq.)]**¹.
4

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

8 ¹**[1.a.** For the purposes of any permit or letter of exemption
9 involving agricultural activities issued by the department, or any
10 enforcement action undertaken by the department involving
11 agricultural activities, pursuant to the “Freshwater Wetlands
12 Protection Act,” P.L.1987, c.156 (C.13:9B-1 et seq.):

13 (1) An agricultural field shall be considered active, and not
14 deemed abandoned, if any combination of crop production or
15 maintenance or renovation of the field for agricultural purposes has
16 taken place on the field within five years. The lack of a commercial
17 harvest or production of a crop on or from the agricultural field
18 shall not be a determining factor in designating the agricultural field
19 as abandoned;

20 (2) In any case in which an agricultural field has not been
21 maintained or renovated for agricultural purposes, or used for
22 commercial harvest or production of a crop, within five years
23 preceding an application for a permit or letter of exemption, the
24 resumption of crop production or maintenance or renovation of the
25 agricultural field for agricultural purposes shall be considered
26 minimally adverse to the environment and permissible if: (a) the
27 crop production on, or maintenance or renovation of, the field is
28 related to the previous use of the agricultural field for agricultural
29 purposes within the 25 years preceding the resumption of crop
30 production or maintenance or renovation of the field; or (b) during
31 the previous use of the agricultural field for agricultural purposes, it
32 was disturbed, developed, or otherwise built upon for those
33 purposes such that the agricultural field cannot return to a natural
34 wetland state regardless of the length of time it is inactive, poorly
35 maintained, or uncultivated.

36 b. As used in this section, “agricultural field” means a field
37 used for agricultural purposes, including a blueberry field or
38 cranberry bog; and “previous use” means crop production on, or
39 maintenance or renovation of, a field.]¹

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:

¹Senate floor amendments adopted January 7, 2016.

1 ¹[2.a. With regard to cranberry production, in addition to the
2 provisions of section 1 and 3 of P.L. , c. (C.) (pending before
3 the Legislature as this bill), the department shall issue any
4 necessary permit or letter of exemption to the owner of an
5 agricultural field, or the lessee or previous lessee of an agricultural
6 field on State-owned land, and authorize the restoration of
7 cranberry production on the agricultural field, provided that:

8 (1) the owner or lessee previously used the agricultural field for
9 the production of cranberries, or maintained or renovated it for that
10 purpose; and

11 (2) the department determined, within the 25 years prior to the
12 effective date of P.L. , c. (C.) (pending before the
13 Legislature as this bill), the agricultural field to be abandoned
14 because it had not produced a crop for five years, although it was
15 being maintained or renovated for agricultural purposes at the time
16 of its designation as abandoned.

17 b. Any necessary permit or letter of exemption issued pursuant
18 to subsection a. of this section shall authorize the owner or the
19 lessee to produce cranberries on the agricultural field, and to
20 maintain and renovate the agricultural field for the production of
21 cranberries until such time as production of a cranberry crop is
22 warranted.

23 c. The department shall renew the lease of any lessee or
24 previous lessee of an agricultural field on State-owned land
25 previously used by the lessee for the production of cranberries but
26 whose lease was revoked or expired within the 25 years prior to the
27 effective date of P.L. , c. (C.) (pending before the
28 Legislature as this bill) as a result of a department determination as
29 described in paragraph (2) of subsection a. of this section.

30 If, after the department determined the agricultural field to be
31 abandoned, another individual or entity leased the land previously
32 leased and used by the previous lessee as described in subsection a.
33 of this section, the department shall:

34 (1) reissue a lease to the previous lessee, as soon as it is
35 practicable to transfer the lease of the land, or lease comparable
36 land for the same purpose to the previous lessee of the land; and

37 (2) authorize the resumption of cranberry production on the
38 leased State-owned land, including but not limited to, maintenance
39 and renovation of the agricultural field until the lessee determines
40 that production of a cranberry crop is warranted.]¹

41

42 ¹[3.No agricultural field regulated pursuant to section 1 or 2 of
43 this act may be deemed abandoned if any combination of crop
44 production or maintenance or renovation of the field for agricultural
45 purposes has taken place on the field within the prior five years.
46 The lack of a commercial harvest or production of a crop on or from

1 the agricultural field shall not be a determining factor in designating
2 the agricultural field as abandoned.】¹

3

4 ¹1. Section 4 of P.L.1987, c.156 (C.13:9B-4) is amended to read
5 as follows:

6 4. The following are exempt from the requirement of a
7 freshwater wetlands permit and transition area requirements unless
8 the United States Environmental Protection Agency's regulations
9 providing for the delegation to the state of the federal wetlands
10 program conducted pursuant to the Federal Act require a permit for
11 any of these activities, in which case the department shall require a
12 permit for those activities so identified by that agency:

13 a. Normal farming, silviculture, and ranching activities such as
14 plowing, seeding, cultivating, minor drainage, harvesting for the
15 production of food and fiber, or upland soil and water conservation
16 practices; construction or maintenance of farm or stock ponds or
17 irrigation ditches, or the maintenance of drainage ditches; the
18 installation of temporary farm structures with only a dirt or fabric
19 floor, including hoopouses and polyhouses, and any grading or
20 land contouring associated therewith on lands that were actively
21 cultivated on or before July 1, 1988, have been in active agricultural
22 use since then, were in active agricultural use at the time that the
23 temporary farm structures were or are to be erected, and are
24 identified as "ModAg" farmed wetlands on the Wetland Maps
25 promulgated by the Department of Environmental Protection in
26 1988; maintenance of cranberry bogs and blueberry fields
27 including, but not limited to, periodic flooding, sanding, control or
28 suppression of weeds or brush in or around the bog or field, and
29 pest control or suppression; maintenance, repair, or cleaning of
30 dams, ditches, underdrains, floodgates, irrigation systems, or other
31 drainage or water control facilities for cranberry bogs or blueberry
32 fields; activities for the renewal or rehabilitation of a cranberry bog,
33 including, but not limited to, removal of undesirable soil or
34 vegetation, grading and leveling, installation, reconfiguration,
35 repair or replacement of water control or supply systems or
36 facilities, removal, relocation, or construction of internal dams, and
37 planting of new vines in an appropriate soil layer; construction or
38 maintenance of farm roads or forest roads constructed and
39 maintained in accordance with best management practices to assure
40 that flow and circulation patterns and chemical and biological
41 characteristics of freshwater wetlands are not impaired and that any
42 adverse effect on the aquatic environment will be minimized;

43 b. Normal harvesting of forest products in accordance with a
44 forest management plan approved by the State Forester;

45 c. Areas regulated as a coastal wetland pursuant to P.L.1970,
46 c.272 (C.13:9A-1 et seq.);

1 d. Projects for which (1) preliminary site plan or subdivision
2 applications have received preliminary approvals from the local
3 authorities pursuant to the "Municipal Land Use Law," P.L.1975,
4 c.291 (C.40:55D-1 et seq.) prior to the effective date of this act, (2)
5 preliminary site plan or subdivision applications have been
6 submitted prior to June 8, 1987, or (3) permit applications have
7 been approved by the U.S. Army Corps of Engineers prior to the
8 effective date of this act, which projects would otherwise be subject
9 to State regulation on or after the effective date of this act, shall be
10 governed only by the Federal Act, and shall not be subject to any
11 additional or inconsistent substantive requirements of this act;
12 provided, however, that upon the expiration of a permit issued
13 pursuant to the Federal Act any application for a renewal thereof
14 shall be made to the appropriate regulatory agency. The department
15 shall not require the establishment of a transition area as a condition
16 of any renewal of a permit issued pursuant to the Federal Act prior
17 to the effective date of this act. Projects not subject to the
18 jurisdiction of the United States Army Corps of Engineers and for
19 which preliminary site or subdivision applications have been
20 approved prior to the effective date of this act shall not require
21 transition areas;

22 e. The exemptions in subsections a. and b. of this section shall
23 not apply to any discharge of dredged or fill material into a
24 freshwater wetland incidental to any activity which involves
25 bringing an area of freshwater wetlands into a use to which it was
26 not previously subject, where the flow or circulation patterns of the
27 waters may be impaired, or the reach of the waters is reduced.

28 f. For the purposes of the exemptions in subsection a. of this
29 section, a cranberry bog, blueberry field, or portion thereof, on
30 which any of the activities specifically pertaining to cranberry bogs
31 or blueberry fields listed in that subsection has occurred within the
32 prior five years shall be considered an established, ongoing farming
33 operation, and shall not be deemed abandoned. The lack of a
34 commercial harvest or production of a crop on or from the bog or
35 field shall not be a determining factor as to whether the agricultural
36 use has been abandoned.¹

37 (cf: P.L.2014, c.89, s.1)

38

39 ¹[4.] 2.¹ This act shall take effect immediately.

40

41

42

43

44 Concerns exemptions from permits for certain agricultural
45 activities under "Freshwater Wetlands Protection Act."

ASSEMBLY, No. 1958

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblywoman CELESTE M. RILEY

District 3 (Cumberland, Gloucester and Salem)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman GILBERT "WHIP" L. WILSON

District 5 (Camden and Gloucester)

Co-Sponsored by:

Assemblywoman Caride

SYNOPSIS

Concerns permits, letters of exemption, and enforcement with regard to agricultural activities under “Freshwater Wetlands Protection Act”.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 10/28/2014)

1 AN ACT concerning freshwater wetlands and supplementing
2 P.L.1987, c.156 (C.13:9B-1 et seq.).

3

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

6

7 1. a. For the purposes of any permit or letter of exemption
8 involving agricultural activities issued by the department, or any
9 enforcement action undertaken by the department involving
10 agricultural activities, pursuant to the “Freshwater Wetlands
11 Protection Act,” P.L.1987, c.156 (C.13:9B-1 et seq.):

12 (1) An agricultural field shall be considered active, and not
13 deemed abandoned, if any combination of crop production or
14 maintenance or renovation of the field for agricultural purposes has
15 taken place on the field within five years. The lack of a commercial
16 harvest or production of a crop on or from the agricultural field
17 shall not be a determining factor in designating the agricultural field
18 as abandoned;

19 (2) In any case in which an agricultural field has not been
20 maintained or renovated for agricultural purposes, or used for
21 commercial harvest or production of a crop, within five years
22 preceding an application for a permit or letter of exemption, the
23 resumption of crop production or maintenance or renovation of the
24 agricultural field for agricultural purposes shall be considered
25 minimally adverse to the environment and permissible if: (a) the
26 crop production on, or maintenance or renovation of, the field is
27 related to the previous use of the agricultural field for agricultural
28 purposes within the 25 years preceding the resumption of crop
29 production or maintenance or renovation of the field; or (b) during
30 the previous use of the agricultural field for agricultural purposes, it
31 was disturbed, developed, or otherwise built upon for those
32 purposes such that the agricultural field cannot return to a natural
33 wetland state regardless of the length of time it is inactive, poorly
34 maintained, or uncultivated.

35 b. As used in this section, “agricultural field” means a field
36 used for agricultural purposes, including a blueberry field or
37 cranberry bog; and “previous use” means crop production on, or
38 maintenance or renovation of, a field.

39

40 2. a. With regard to cranberry production, in addition to the
41 provisions of section 1 and 3 of P.L. , c. (C.) (pending before
42 the Legislature as this bill), the department shall issue any
43 necessary permit or letter of exemption to the owner of an
44 agricultural field, or the lessee or previous lessee of an agricultural
45 field on State-owned land, and authorize the restoration of
46 cranberry production on the agricultural field, provided that:

- 1 (1) the owner or lessee previously used the agricultural field for
2 the production of cranberries, or maintained or renovated it for that
3 purpose; and
- 4 (2) the department determined, within the 25 years prior to the
5 effective date of P.L. , c. (C.) (pending before the
6 Legislature as this bill), the agricultural field to be abandoned
7 because it had not produced a crop for five years, although it was
8 being maintained or renovated for agricultural purposes at the time
9 of its designation as abandoned.
- 10 b. Any necessary permit or letter of exemption issued pursuant
11 to subsection a. of this section shall authorize the owner or the
12 lessee to produce cranberries on the agricultural field, and to
13 maintain and renovate the agricultural field for the production of
14 cranberries until such time as production of a cranberry crop is
15 warranted.
- 16 c. The department shall renew the lease of any lessee or
17 previous lessee of an agricultural field on State-owned land
18 previously used by the lessee for the production of cranberries but
19 whose lease was revoked or expired within the 25 years prior to the
20 effective date of P.L. , c. (C.) (pending before the
21 Legislature as this bill) as a result of a department determination as
22 described in paragraph (2) of subsection a. of this section.
- 23 If, after the department determined the agricultural field to be
24 abandoned, another individual or entity leased the land previously
25 leased and used by the previous lessee as described in subsection a.
26 of this section, the department shall:
- 27 (1) reissue a lease to the previous lessee, as soon as it is
28 practicable to transfer the lease of the land, or lease comparable
29 land for the same purpose to the previous lessee of the land; and
- 30 (2) authorize the resumption of cranberry production on the
31 leased State-owned land, including but not limited to, maintenance
32 and renovation of the agricultural field until the lessee determines
33 that production of a cranberry crop is warranted.
- 34
- 35 3. No agricultural field regulated pursuant to section 1 or 2 of
36 this act may be deemed abandoned if any combination of crop
37 production or maintenance or renovation of the field for agricultural
38 purposes has taken place on the field within the prior five years.
39 The lack of a commercial harvest or production of a crop on or from
40 the agricultural field shall not be a determining factor in designating
41 the agricultural field as abandoned.
- 42
- 43 4. This act shall take effect immediately.

1 STATEMENT

2

3 The bill provides that for the purposes of any permit or letter of
4 exemption involving agricultural activities issued by the
5 Department of Environmental Protection, or any enforcement action
6 undertaken by the department involving agricultural activities,
7 pursuant to the “Freshwater Wetlands Protection Act”:

8 (1) an agricultural field shall be considered active, and not
9 deemed abandoned, if any combination of crop production or
10 maintenance or renovation of the field for agricultural purposes has
11 taken place on the field within five years;

12 (2) in any case in which an agricultural field has not been
13 maintained or renovated for agricultural purposes, or used for
14 commercial harvest or production of a crop, within five years
15 preceding an application for a permit or letter of exemption, the
16 resumption of crop production or maintenance or renovation of the
17 agricultural field for agricultural purposes shall be considered
18 minimally adverse to the environment and permissible if: (a) the
19 crop production on, or maintenance or renovation of, the field is
20 related to the previous use of the agricultural field for agricultural
21 purposes within the 25 years preceding the resumption of crop
22 production or maintenance or renovation of the field; or (b) during
23 the previous use of the agricultural field for agricultural purposes, it
24 was disturbed, developed, or otherwise built upon for those
25 purposes such that the agricultural field cannot return to a natural
26 wetland state regardless of the length of time it is inactive, poorly
27 maintained, or uncultivated.

28 In addition, the bill provides that the lack of a commercial
29 harvest or production of a crop on or from an agricultural field
30 would not be a determining factor in designating the agricultural
31 field as abandoned.

32 This bill would address a recommendation in the “Report on the
33 Department of Agriculture,” published January 15, 2010 by the
34 Transition Team – Agriculture Subcommittee for then-Governor-
35 elect Christie.

36 The bill also provides for, in the case of cranberry production,
37 reinstatement of leases and necessary authorization to produce
38 cranberries on State-owned land. The bill also provides for the
39 issuance of necessary permits or letters of exemption for cranberry
40 production when the department determined within the 25 years
41 prior to the bill’s enactment the agricultural field to be abandoned
42 because it had not produced a crop for five years, although it was
43 being maintained or renovated for agricultural purposes at the time
44 of its designation as abandoned.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1958

STATE OF NEW JERSEY

DATED: OCTOBER 27, 2014

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 1958.

The bill provides that for the purposes of any permit or letter of exemption involving agricultural activities issued by the Department of Environmental Protection, or any enforcement action undertaken by the department involving agricultural activities, pursuant to the “Freshwater Wetlands Protection Act,” an agricultural field would be considered active, and not deemed abandoned, if any combination of crop production or maintenance or renovation of the field for agricultural purposes has taken place on the field within five years.

The bill also provides that for the purposes of any such permit or letter of exemption, in any case in which an agricultural field has not been maintained or renovated for agricultural purposes, or used for commercial harvest or production of a crop, within five years preceding an application for a permit or letter of exemption, the resumption of crop production or maintenance or renovation of the agricultural field for agricultural purposes would be considered minimally adverse to the environment and permissible if:

1) the crop production on, or maintenance or renovation of, the field is related to the previous use of the agricultural field for agricultural purposes within the 25 years preceding the resumption of crop production or maintenance or renovation of the field; or

2) during the previous use of the agricultural field for agricultural purposes, it was disturbed, developed, or otherwise built upon for those purposes so that the agricultural field cannot return to a natural wetland state regardless of the length of time it is inactive, poorly maintained, or uncultivated.

In addition, the bill provides that the lack of a commercial harvest or production of a crop on or from an agricultural field would not be a determining factor in designating the agricultural field as abandoned.

The bill also provides for, in the case of cranberry production, reinstatement of leases and necessary authorization to produce cranberries on State-owned land. The bill also provides for the issuance of necessary permits or letters of exemption for cranberry production when the department determined within the 25 years prior

to the bill's enactment the agricultural field to be abandoned because it had not produced a crop for five years, although it was being maintained or renovated for agricultural purposes at the time of its designation as abandoned.

This bill was pre-filed for introduction in the 2014-2015 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. 1958

STATE OF NEW JERSEY

DATED: JANUARY 12, 2015

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 1958.

The bill provides that for the purposes of any permit or letter of exemption involving agricultural activities issued by the Department of Environmental Protection, or any enforcement action undertaken by the department involving agricultural activities, pursuant to the “Freshwater Wetlands Protection Act,” an agricultural field would be considered active, and not deemed abandoned, if any combination of crop production or maintenance or renovation of the field for agricultural purposes has taken place on the field within five years.

The bill also provides that for the purposes of any such permit or letter of exemption, in any case in which an agricultural field has not been maintained or renovated for agricultural purposes, or used for commercial harvest or production of a crop, within five years preceding an application for a permit or letter of exemption, the resumption of crop production or maintenance or renovation of the agricultural field for agricultural purposes would be considered minimally adverse to the environment and permissible if:

- 1) the crop production on, or maintenance or renovation of, the field is related to the previous use of the agricultural field for agricultural purposes within the 25 years preceding the resumption of crop production or maintenance or renovation of the field; or

- 2) during the previous use of the agricultural field for agricultural purposes, it was disturbed, developed, or otherwise built upon for those purposes so that the agricultural field cannot return to a natural wetland state regardless of the length of time it is inactive, poorly maintained, or uncultivated.

In addition, the bill provides that the lack of a commercial harvest or production of a crop on or from an agricultural field would not be a determining factor in designating the agricultural field as abandoned.

The bill also provides for, in the case of cranberry production, reinstatement of leases and necessary authorization to produce cranberries on State-owned land. The bill also provides for the issuance of necessary permits or letters of exemption for cranberry production when the department determined within the 25 years prior to the bill’s enactment the agricultural field to be abandoned because it had not produced a crop for five years, although it was being

maintained or renovated for agricultural purposes at the time of its designation as abandoned.

This bill is identical to Senate Bill No. 1848 which was also reported by the committee.

STATEMENT TO
ASSEMBLY, No. 1958

with Senate Floor Amendments
(Proposed by Senator ALLEN)

ADOPTED: JANUARY 7, 2016

These floor amendments would replace the current provisions in the bill with regard to agricultural activities and freshwater wetlands exemptions and enforcement actions. Instead, the floor amendments would amend the “Freshwater Wetlands Protection Act” to provide that normal farming activities for the purposes of an exemption from the requirement of a permit or transition area requirement would include the maintenance of cranberry bogs and blueberry fields including, but not limited to, periodic flooding, sanding, control or suppression of weeds or brush in or around the bog or field, and pest control or suppression; maintenance, repair, or cleaning of dams, ditches, underdrains, floodgates, irrigation systems, or other drainage or water control facilities for cranberry bogs or blueberry fields; activities for the renewal or rehabilitation of a cranberry bog, including, but not limited to, removal of undesirable soil or vegetation, grading and leveling, installation, reconfiguration, repair or replacement of water control or supply systems or facilities, removal, relocation, or construction of internal dams, and planting of new vines in an appropriate soil layer. The amendments would also specify that for the purposes of the exemption, if any of the specified activities has occurred within the prior five years on a cranberry bog or blueberry field, the bog or field would be considered an ongoing farming operation and would not be deemed abandoned. Finally, the floor amendments would provide that the lack of a commercial harvest is not a determining factor as to whether an agricultural use has been abandoned.

SENATE, No. 1848

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 24, 2014

Sponsored by:

Senator DIANE B. ALLEN

District 7 (Burlington)

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Concerns permits, letters of exemption, and enforcement with regard to agricultural activities under “Freshwater Wetlands Protection Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/10/2015)

1 AN ACT concerning freshwater wetlands and supplementing
2 P.L.1987, c.156 (C.13:9B-1 et seq.).

3

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

6

7 1. a. For the purposes of any permit or letter of exemption
8 involving agricultural activities issued by the department, or any
9 enforcement action undertaken by the department involving
10 agricultural activities, pursuant to the “Freshwater Wetlands
11 Protection Act,” P.L.1987, c.156 (C.13:9B-1 et seq.):

12 (1) An agricultural field shall be considered active, and not
13 deemed abandoned, if any combination of crop production or
14 maintenance or renovation of the field for agricultural purposes has
15 taken place on the field within five years. The lack of a commercial
16 harvest or production of a crop on or from the agricultural field
17 shall not be a determining factor in designating the agricultural field
18 as abandoned;

19 (2) In any case in which an agricultural field has not been
20 maintained or renovated for agricultural purposes, or used for
21 commercial harvest or production of a crop, within five years
22 preceding an application for a permit or letter of exemption, the
23 resumption of crop production or maintenance or renovation of the
24 agricultural field for agricultural purposes shall be considered
25 minimally adverse to the environment and permissible if: (a) the
26 crop production on, or maintenance or renovation of, the field is
27 related to the previous use of the agricultural field for agricultural
28 purposes within the 25 years preceding the resumption of crop
29 production or maintenance or renovation of the field; or (b) during
30 the previous use of the agricultural field for agricultural purposes, it
31 was disturbed, developed, or otherwise built upon for those
32 purposes such that the agricultural field cannot return to a natural
33 wetland state regardless of the length of time it is inactive, poorly
34 maintained, or uncultivated.

35 b. As used in this section, “agricultural field” means a field
36 used for agricultural purposes, including a blueberry field or
37 cranberry bog; and “previous use” means crop production on, or
38 maintenance or renovation of, a field.

39

40 2. a. With regard to cranberry production, in addition to the
41 provisions of section 1 and 3 of P.L. , c. (C.) (pending before
42 the Legislature as this bill), the department shall issue any
43 necessary permit or letter of exemption to the owner of an
44 agricultural field, or the lessee or previous lessee of an agricultural
45 field on State-owned land, and authorize the restoration of
46 cranberry production on the agricultural field, provided that:

1 (1) the owner or lessee previously used the agricultural field for
2 the production of cranberries, or maintained or renovated it for that
3 purpose; and

4 (2) the department determined, within the 25 years prior to the
5 effective date of P.L. , c. (C.) (pending before the
6 Legislature as this bill), the agricultural field to be abandoned
7 because it had not produced a crop for five years, although it was
8 being maintained or renovated for agricultural purposes at the time
9 of its designation as abandoned.

10 b. Any necessary permit or letter of exemption issued pursuant
11 to subsection a. of this section shall authorize the owner or the
12 lessee to produce cranberries on the agricultural field, and to
13 maintain and renovate the agricultural field for the production of
14 cranberries until such time as production of a cranberry crop is
15 warranted.

16 c. The department shall renew the lease of any lessee or
17 previous lessee of an agricultural field on State-owned land
18 previously used by the lessee for the production of cranberries but
19 whose lease was revoked or expired within the 25 years prior to the
20 effective date of P.L. , c. (C.) (pending before the
21 Legislature as this bill) as a result of a department determination as
22 described in paragraph (2) of subsection a. of this section.

23 If, after the department determined the agricultural field to be
24 abandoned, another individual or entity leased the land previously
25 leased and used by the previous lessee as described in subsection a.
26 of this section, the department shall:

27 (1) reissue a lease to the previous lessee, as soon as it is
28 practicable to transfer the lease of the land, or lease comparable
29 land for the same purpose to the previous lessee of the land; and

30 (2) authorize the resumption of cranberry production on the
31 leased State-owned land, including but not limited to, maintenance
32 and renovation of the agricultural field until the lessee determines
33 that production of a cranberry crop is warranted.

34

35 3. No agricultural field regulated pursuant to section 1 or 2 of
36 this act may be deemed abandoned if any combination of crop
37 production or maintenance or renovation of the field for agricultural
38 purposes has taken place on the field within the prior five years.
39 The lack of a commercial harvest or production of a crop on or from
40 the agricultural field shall not be a determining factor in designating
41 the agricultural field as abandoned.

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43 4. This act shall take effect immediately.

STATEMENT

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The bill provides that for the purposes of any permit or letter of exemption involving agricultural activities issued by the Department of Environmental Protection, or any enforcement action undertaken by the department involving agricultural activities, pursuant to the “Freshwater Wetlands Protection Act”:

(1) an agricultural field shall be considered active, and not deemed abandoned, if any combination of crop production or maintenance or renovation of the field for agricultural purposes has taken place on the field within five years;

(2) in any case in which an agricultural field has not been maintained or renovated for agricultural purposes, or used for commercial harvest or production of a crop, within five years preceding an application for a permit or letter of exemption, the resumption of crop production or maintenance or renovation of the agricultural field for agricultural purposes shall be considered minimally adverse to the environment and permissible if: (a) the crop production on, or maintenance or renovation of, the field is related to the previous use of the agricultural field for agricultural purposes within the 25 years preceding the resumption of crop production or maintenance or renovation of the field; or (b) during the previous use of the agricultural field for agricultural purposes, it was disturbed, developed, or otherwise built upon for those purposes such that the agricultural field cannot return to a natural wetland state regardless of the length of time it is inactive, poorly maintained, or uncultivated.

In addition, the bill provides that the lack of a commercial harvest or production of a crop on or from an agricultural field would not be a determining factor in designating the agricultural field as abandoned.

This bill would address a recommendation in the “Report on the Department of Agriculture,” published January 15, 2010 by the Transition Team – Agriculture Subcommittee for then-Governor-elect Christie.

The bill also provides for, in the case of cranberry production, reinstatement of leases and necessary authorization to produce cranberries on State-owned land. The bill also provides for the issuance of necessary permits or letters of exemption for cranberry production when the department determined within the 25 years prior to the bill’s enactment the agricultural field to be abandoned because it had not produced a crop for five years, although it was being maintained or renovated for agricultural purposes at the time of its designation as abandoned.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 1848

STATE OF NEW JERSEY

DATED: JANUARY 12, 2015

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1848.

The bill provides that for the purposes of any permit or letter of exemption involving agricultural activities issued by the Department of Environmental Protection, or any enforcement action undertaken by the department involving agricultural activities, pursuant to the “Freshwater Wetlands Protection Act”:

(1) an agricultural field shall be considered active, and not deemed abandoned, if any combination of crop production or maintenance or renovation of the field for agricultural purposes has taken place on the field within five years;

(2) in any case in which an agricultural field has not been maintained or renovated for agricultural purposes, or used for commercial harvest or production of a crop, within five years preceding an application for a permit or letter of exemption, the resumption of crop production or maintenance or renovation of the agricultural field for agricultural purposes shall be considered minimally adverse to the environment and permissible if: (a) the crop production on, or maintenance or renovation of, the field is related to the previous use of the agricultural field for agricultural purposes within the 25 years preceding the resumption of crop production or maintenance or renovation of the field; or (b) during the previous use of the agricultural field for agricultural purposes, it was disturbed, developed, or otherwise built upon for those purposes such that the agricultural field cannot return to a natural wetland state regardless of the length of time it is inactive, poorly maintained, or uncultivated.

In addition, the bill provides that the lack of a commercial harvest or production of a crop on or from an agricultural field would not be a determining factor in designating the agricultural field as abandoned.

The bill also provides for, in the case of cranberry production, reinstatement of leases and necessary authorization to produce cranberries on State-owned land. The bill also provides for the issuance of necessary permits or letters of exemption for cranberry production when the department determined within the 25 years prior to the bill’s enactment the agricultural field to be abandoned because it had not produced a crop for five years, although it was being maintained or renovated for agricultural purposes at the time of its designation as abandoned.

This bill is identical to Assembly Bill No. 1958 which was also reported by the committee.

STATEMENT TO
SENATE, No. 1848

with Senate Floor Amendments
(Proposed by Senator ALLEN)

ADOPTED: JANUARY 7, 2016

These floor amendments would replace the current provisions in the bill with regard to agricultural activities and freshwater wetlands exemptions and enforcement actions. Instead, the floor amendments would amend the “Freshwater Wetlands Protection Act” to provide that normal farming activities for the purposes of an exemption from the requirement of a permit or transition area requirement would include the maintenance of cranberry bogs and blueberry fields including, but not limited to, periodic flooding, sanding, control or suppression of weeds or brush in or around the bog or field, and pest control or suppression; maintenance, repair, or cleaning of dams, ditches, underdrains, floodgates, irrigation systems, or other drainage or water control facilities for cranberry bogs or blueberry fields; activities for the renewal or rehabilitation of a cranberry bog, including, but not limited to, removal of undesirable soil or vegetation, grading and leveling, installation, reconfiguration, repair or replacement of water control or supply systems or facilities, removal, relocation, or construction of internal dams, and planting of new vines in an appropriate soil layer. The amendments would also specify that for the purposes of the exemption, if any of the specified activities has occurred within the prior five years on a cranberry bog or blueberry field, the bog or field would be considered an ongoing farming operation and would not be deemed abandoned. Finally, the floor amendments would provide that the lack of a commercial harvest is not a determining factor as to whether an agricultural use has been abandoned.

Governor Chris Christie Takes Action On Pending Legislation From The 216th Legislative Session

Tuesday, January 19, 2016 Tags: [Weather](#)



Trenton, NJ – Furthering his administration's commitment to New Jersey's veterans and military personnel, Governor Chris Christie took action today on legislation from the 216th Legislative Session, including 11 legislative measures designed to assist both active military members and veterans, along with their families.

"From the very start of this administration, we have focused on serving the needs of our veterans and the men and women still in active duty, assisting them with everything from securing jobs to finding the proper health care and social services," said Governor Christie. "The bills I signed today continue to make good on our promise to help those who have given so much of themselves to defend and serve this nation find a seamless transition back to civilian life and receive a helping-hand, when needed, no matter how long after their discharge from the military."

The enacted legislation includes:

- **S-172/A-2276 (Whelan, Beach/DeAngelo, Quijano)** - Exempts disabled veterans and Purple Heart recipients from payment of municipal parking meter fees when their vehicles bear a disable veteran's or Purple Heart license plate or placard issued by New Jersey Motor Vehicle Commission
- **S-2972/A-4465 (Van Drew, Cruz-Perez/Andrzejczak, Tucker, Benson)** - Requires DMVA assist and mentor veterans through criminal justice system
- **A-1667/S-2155 (Johnson, DeAngelo, Andrzejczak, Mukherji, Pintor Marin/Van Drew, A.R. Bucco)** - Permits child whose parent or guardian is ordered into active military service to remain enrolled in school district where child's parent or guardian resided prior to active military service
- **A-2935/S-1325 (Andrzejczak, Lagana, Webber, Mosquera, Lampitt/Van Drew, A.R. Bucco)** - Authorizes property tax deferral for deployed military personnel
- **A-2299/S-239 (Andrzejczak, Benson/Van Drew, Stack)** - Requires municipalities to exempt 100% disabled veterans from construction permit surcharge fees for improvements to promote living unit accessibility; appropriates \$20,000 for municipal reimbursements
- **A-3552/S-2636 (Mazzeo, Andrzejczak, Mukherji, Benson/Beach, Van Drew)** - Creates financial planning assistance program for disabled veterans and their caregivers
- **A-3554/S-2606 (Mazzeo, Andrzejczak, Mukherji, Benson, Danielsen/Beach, Cruz-Perez)** - Increases income eligibility cap to receive respite care for certain veterans
- **AS for A-3750/S-2569 (Lampitt, Tucker, Andrzejczak, Singleton, Mosquera/Beach, Allen)** - Requires Adjutant General to create informational webpage for women veterans
- **A-4148/S-2731 (Andrzejczak, Benson/Van Drew, Beach)** - Provides an excused absence on Veterans Day for pupil who participates in certain activities for veterans or active duty members of United States Armed Forces or New Jersey National Guard

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- **A-4323/S-2952 (DeAngelo, Lagana, Muoio, Benson/Beach, Whelan)** - Expands timeframe for renewal of driver's license, registration, and inspection by military personnel and immediate family members under certain circumstances.
- **AJR-117/SJR-85 (Tucker, Holley, Vainieri Huttie/Beach, Whelan, Madden)** - Urges Congress to restore funding to Vets4Warriors veteran suicide hotline

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

BILL SIGNINGS:

- **S-451/A-1103 (Ruiz, Allen/Vainieri Huttie, Singleton, Benson)** - Establishes Office of the Special Education Ombudsman in DOE
- **S-485/A-1976 (Cunningham, Ruiz/Lampitt, Mosquera, Quijano)** -Requires president of public institution of higher education to regularly report on-campus criminal and fire events to the institution's governing board
- **S-489/A-4926 (Cunningham, T. Kean/Diegnan, Mukherji, Benson)** - Authorizes institutions of higher education to grant college credit to high school students who complete the Jersey Boys State or Jersey Girls State program
- **S-832/A-2039 (Whelan, Beach/Moriarty, Stender, Garcia)** - Permits voter registration of certain persons at age 17 for voting at next election occurring on or after 18th birthday
- **S-1046/A-2721 (Turner, Scutari/Gusciora)** - Concerns alterations in child support obligations in response to changes to status of supported child
- **S-1184/A-1950 (Vitale, Beach/Conaway, Diegnan, Sumter, Danielsen)** - Revises requirements for licensure and creates physician-delegated scope of practice for physician assistants
- **S-1346wGR/A-3837 (Rice/Coughlin, Garcia, Rodriguez-Gregg, Pintor Marin, Jasey)** - Concerns the recording of mortgages
- **S-1447/A-2829 (Greenstein, Addiego/Johnson, Mainor, Rible, Quijano)** - Prohibits posting, publishing on the Internet, or disclosing certain information regarding law enforcement officers
- **S-1567/A-410 (A.R. Bucco, Van Drew/A.M. Bucco, Bramnick, Johnson, Quijano, Rumana)** - Establishes DOT roadside memorial program for fallen police officers, sheriff's officers, EMS workers, and firefighters; designated as "Patrolman Joseph Wargo's Law"
- **S-1687/A-4924 (Ruiz, Vitale/Diegnan, Eustace)** - Permits students made homeless by act of terrorism or natural disaster to attend tuition-free the school district in which they resided prior to being homeless for two school years after the event
- **S-2032wGR/A-3440 (Codey, Turner/Diegnan, Eustace)** - Requires DOE to review Core Curriculum Content Standards to ensure that they incorporate modern computer science standards where appropriate
- **S-2110/A-3343 (Oroho/Space, Vainieri Huttie, Schaer, Phoebus, Pinkin)** - Requires nursing homes to offer form designating beneficiary of personal needs allowance accounts from incoming and current residents

- **S-2201/A-3273 (O'Toole/Russo, Rumana, Casagrande)** - Authorizes youth camps to maintain supply of epinephrine and permit trained employees to administer epinephrine to camp members suffering from anaphylaxis
- **SCS for S-2251/A-3708 (Oroho, Barnes/Diegnan, Webber, Johnson, Space, Phoebus)** - Increases monetary amounts for transfer of estate assets without administration and for exemption from debts of the deceased
- **S-2260wGR/A-688 (Scutari, Cardinale/Schaer)** - Modifies certain fees charged by, and requirements imposed on, check casher licensees
- **S-2284wGR/A-3549 (Pou, Weinberg/Schaer, Vainieri Huttle, Webber, Singleton, Jimenez, Johnson, Bramnick)** - Requires Medicaid managed care organizations to meet certain conditions prior to reducing reimbursement rates for personal care assistant services and home-based supportive care services
- **S-2442/A-3891 (T. Kean, Sarlo/Bramnick, Rodriquez-Gregg, Johnson, Casagrande, Schepisi)** - Establishes NJ Innovation and Research Fellowship Program in DOLWD
- **S-2495/A-3868 (Codey, Rice/Conaway, Singleton, Eustace, Coughlin)** - Authorizes State-chartered banks, savings banks, savings and loans, and credit unions to conduct certain savings account promotions
- **S-2617/A-3944 (Cardinale/Garcia, McKeon, Auth, Eustace, Pinkin)** - Requires DEP to adopt regulations to allow cultivation of commercial shellfish species in certain coastal and inner harbor waters for research, educational, or restoration purposes; requires community engagement process for revision thereof
- **S-2627/A-3957 (Cardinale, Sacco/Schepisi, Auth, Eustace, Rumana, Johnson)** - Designates State Highway Route 17 in Borough of Ramsey as "Staff Sergeant Timothy R. McGill Memorial Highway"
- **S-2695/A-4110 (T. Kean, Sacco/Dancer, Benson, Jimenez, Johnson)** - Requires MVC conduct study and make recommendations concerning electronic driver's licenses and mobile applications
- **S-2741/A-4213 (Doherty/Vainieri Huttle, Webber)** - Permits unregulated solicitation to perform snow shoveling within 24 hours of predicted snowstorm
- **S-2787wGR/A-4273 (Sweeney/Singleton, Burzichelli, Giblin, Prieto, Wimberly)** - Establishes vocational training pilot program in DOC; provides for inmate compensation for education and workforce training participation
- **S-2880/A-4704 (Lesniak, T. Kean/Diegnan, Wisniewski)** - Provides up to \$25 million in tax credits under Economic Redevelopment and Growth Grant Program for certain infrastructure at Rutgers, the State University of New Jersey
- **S-2922/A-4925 (Ruiz, Turner/Diegnan, Jasey)** - Requires DOE on its website to link to Department of Treasury's website where list is maintained of all third party individuals and vendors employed or retained for work associated with State assessments
- **S-2923/A-4901 (Ruiz, Turner/Jasey, Caputo)** - Requires school district or charter school to provide notification to parent or guardian of enrolled student on upcoming administration of State assessments or commercially-developed standardized assessment
- **S-2960/A-4331 (Codey, Rice/Garcia, Vainieri Huttle, Danielsen, DeAngelo, Holley, Benson, Mukherji)** -

Establishes requirements for training programs for homemaker-home health aides in care of patients with Alzheimer's disease and related disorders

- **S-3019/A-4771 (Sweeney, Stack/Burzichelli, Muoio)** - Requires filing of financial agreement for long term tax exemption with county finance officer and counsel; requires quarterly payment of county share of payment in lieu of tax
- **S-3129/A-4728 (Madden, Cunningham/DeAngelo, Benson, Lampitt, Quijano)** - Directs DOLWD to provide information regarding employee leave and benefit rights
- **S-3168/A-4769 (Sweeney, O'Toole/Burzichelli)** - Limits increase in annual budget requests of certain county entities
- **S-3170/A-4768 (Pou, Bateman/Burzichelli)** - Requires county superintendent of elections to operate pursuant to county administrative code; subjects certain salary costs of office of county superintendent of elections to review and approval by county governing body
- **S-3171/A-4575 (Whelan, Oroho/Greenwald, Burzichelli)** - Creates definition of certified mail
- **S-3182/A-4690 (Ruiz, Pou/Pintor Marin, Spencer, Sumter)** - Delays certain documentation submission deadlines under certain business tax credit programs
- **S-3207/A-4714 (Vitale, T. Kean/Lampitt, Mosquera)** - Limits liability of caregivers when facilitating normalcy for children in foster care
- **S-3240/A-4878 (Lesniak, Allen/Spencer, Sumter, Holley, Eustace)** - Authorizes establishment of recovery high school alternative education programs
- **S-3242/A-4856 (Vitale, Sweeney/Vainieri Huttie)** - Clarifies best interests of the child should be primary consideration in actions undertaken by State governmental entities and courts of law
- **S-3243/A-4702 (Vitale, Greenstein/Vainieri Huttie, Spencer)** - Provides that if minor appears to have been sexually assaulted, health care professionals in addition to physicians may authorize forensic sexual assault examination and medical care without parental consent
- **S-3247/A-4928 (Ruiz, Pou/Sumter, Wimberly)** - Eliminates cap on cost of SDA district school facilities projects that may be constructed by district and included in capital outlay budget
- **S-3282wGR/A-4850 (Rice, Cunningham/Wimberly, Mainor, Johnson)** - Expands Police Training Commission membership to include representative from Northern New Jersey and South Jersey Chapters of National Organization of Black Law Enforcement Executives
- **S-3303/A-4469 (Whelan/Quijano, Mukherji, Jimenez)** - Makes fraudulent use of social security number to collect lottery winnings crime of fourth degree
- **S-3321/A-4927 (Smith, Van Drew, Bateman/Spencer, Rumana)** - Authorizes DEP to require public access to waterfront and adjacent shoreline as condition of waterfront development approvals and CAFRA permits

- **SJR-22/AJR-40 (Weinberg/Johnson, Vainieri Huttie)** - Designates January 14 of each year as "Hannah G. Solomon Day"
- **ACS for A-206, 471, 1663, 2879, 3060, 3108wGR/S-2663 (Green, Spencer, Gusciora, Johnson, McKeon, Giblin, Wimberly, Mainor, Quijano/Turner, Lesniak, Pou)** - Shortens waiting periods for expungement of criminal and other records and information; makes various changes to other expungement procedures and requirements
- **A-311/S-2426 (Bramnick, Diegnan, Wimberly, Gusciora/Ruiz, T. Kean)** - Requires public schools to weight courses in visual and performing arts equally with other courses worth same number of credits in calculating grade point average
- **ACS for A-428/S-393 (Jimenez, Prieto/Sacco, Sarlo)** - Expands DNA database to include samples from disorderly persons who are fingerprinted and permits law enforcement officers to collect certain biological samples
- **A-801wGR/S-861 (Coughlin, Wisniewski, Mazzeo/Vitale, Sacco)** - Directs New Jersey Turnpike Authority and South Jersey Transportation Authority to study and report on potential revenue generating services of rest areas and service plazas
- **A-984/S-1534 (Andrzejczak, Wimberly/Van Drew, Bateman)** - Enhances penalty for tampering with evidence after fleeing the scene of an accident resulting in death
- **A-1455/S-2011 (Diegnan, Mosquera, Caputo, Jasey, Mukherji/Madden, Holzapfel)** - Abigail's Law; requires that newly-manufactured school buses be equipped with sensors
- **A-1462/S-3288 (Diegnan, Wimberly/Gill)** - Requires coin redemption machine operators to disclose fees
- **A-1466 (Diegnan, O'Donnell, Mainor, Garcia)** - Allows for waiver of school bus requirements for mobility assistance vehicle technicians who transport students with medical needs to and from school
- **A-1726wGR/S-308 (Eustace, Lagana, Mosquera, Vainieri Huttie, Wimberly/Gordon)** - Amends "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and floodplains
- **A-1812/S-2717 (Mosquera, Mazzeo, Andrzejczak/Cruz-Perez, Oroho, Jones)** - Extends protections of the new vehicle "lemon law" to new farm tractors purchased or leased in New Jersey
- **A-1958/S-1848 (Allen, Van Drew)** - Concerns exemptions from permits for certain agricultural activities under "Freshwater Wetlands Protection Act"
- **A-2597/S-2161 (Singleton, Diegnan, DiMaio/Ruiz, Beach)** - Provides that beginning with the 2016-2017 grade nine class, Advanced Placement computer science course may satisfy a part of the mathematics credits required for high school graduation
- **A-2839/S-2620 (Burzichelli, Space, Phoebus/Oroho, Turner)** - "New Jersey Rural Microenterprise Act"
- **A-2915/S-2035 (Lagana, McKeon, Ciattarelli/Bateman, Barnes)** - "Uniform Trust Code"

- **A-2943/S-1312 (Andrzejczak, DeAngelo, Mazzeo, Quijano, Danielsen/Van Drew, Allen)** - Provides for voluntary contributions by taxpayers on gross income tax returns for active duty members of United States Armed Forces, Reserve components thereof, and National Guard from New Jersey

- **A-3006/S-3272 (Conaway, Singleton, Eustace, DiMaio, Danielsen/Beach, Turner)** - Establishes procedure for consolidating fire districts

- **A-3019/S-1978 (Singleton, Conaway, Andrzejczak, Mazzeo, Garcia, Mosquera/Van Drew, Beach)** - Requires State Employment and Training Commission to prepare annual report on State workforce

- **A-3043/S-1943 (Space, DeAngelo, Egan, Phoebus, Moriarty/Oroho, Van Drew)** - Concerns authority of DOLWD to inspect prevailing wage public work projects

- **A-3044/S-1944 (Space, DeAngelo, Egan, Phoebus, Moriarty/Oroho, Van Drew)**
Requires Commissioner of DOLWD to disseminate certain information to contractors who bid on or perform prevailing wage public work

- **A-3225/S-2333 (Singleton, Rible, Lampitt, Quijano, Pintor Marin, Jimenez/Sweeney)** - Provides for licensure of chiropractic assistants

- **A-3228/S-2499 (Mukherji, Vainieri Huttle, Mosquera, Garcia/Turner)** - Requires sober living homes and other substance abuse aftercare treatment facilities to provide certain notifications to next-of-kin when patient is released from care; designated as "Nick Rohdes' Law"
- **A-3257wGR/S-2125 (Andrzejczak, Mazzeo, Burzichelli/Van Drew)** - Provides that determination by county agriculture development board or State Agriculture Development Committee as to what qualifies as farm-based recreational activity in pinelands protection area is binding on Pinelands Commission

- **A-3276/S-2248 (Mazzeo/Whelan)** - "Mainland Memoriam Act"; directs MVC to create graduated driver's license informational material to be distributed by motor vehicle dealers

- **A-3435wGR/S-2503 (Garcia, Mukherji, Vainieri Huttle, Mainor, Eustace, Mosquera/Stack, Gordon)** - "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care

- **A-3850/S-2467 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer)** - Requires BPU to establish procedures allowing electric power and gas supplier customers to switch energy suppliers

- **A-3927/S-2820 (Andrzejczak, Mazzeo, Taliaferro, Dancer/Van Drew, Oroho)** - Requires drivers to slow down before passing slow moving vehicles; establishes Statewide educational campaign on rural roadway safety; updates agriculture-related motor vehicle laws to reflect current industry practices

- **A-3955/S-2644 (Conaway, Benson, Vainieri Huttle, Munoz, Sumter, Mukherji/Vitale, Codey)** - Requires development and maintenance of database to advise public about open bed availability in residential substance use disorders treatment facilities

- **A-4098/S-2877 (Pinkin, Sumter, Benson/Codey, Greenstein)** - Prohibits sale or distribution of liquid nicotine except in child-resistant containers

- **A-4105/S-2977 (Garcia, Mainor, Mukherji, O'Donnell, Sumter, Rible, A.M. Bucco/Greenstein, Cunningham)** - Expands scope of law governing registration of security guards; designated as " Detective Vincent Santiago's Law"

- **A-4133/S-2997 (Giblin, Pinkin/Cruz-Perez, Allen)** - Allows dispensation of certain nutritional supplements by physician or podiatric physician

- **A-4275wGR/S-2831 (Prieto, Eustace, Lagana, Greenwald, Quijano, Danielsen, Mukherji/Sweeney, Turner, Sarlo)** - "New Jersey Secure Choice Saving Program Act"; establishes retirement savings program for certain workers

- **A-4386wGR/S-3042 (Coughlin, Pinkin, Vitale, Singer)** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots; provides for study of impact of changes

- **A-4387/S-3016 (Coughlin, Wisniewski, Wimberly/Vitale)** - Requires MVC to allow submission of "Next-of-Kin Registry" information by mail

- **A-4388/S-3041 (Coughlin, Wisniewski/Vitale)** - Designates State Highway 184 in Woodbridge Township as "Bruce Turcotte Memorial Highway"

- **A-4415/S-3279 (Diegnan, Garcia, Pinkin/Turner, Ruiz)** - Establishes State Seal of Biliteracy to recognize high school graduates who have attained a high level of bilingual proficiency

- **A-4420/S-3056 (Mazzeo, Vainieri Huttle, DeAngelo, Lampitt/Gordon, Greenstein)** - Requires certain notifications for termination of services to persons with developmental disabilities and providers

- **A-4476wGR/S-2876 (Conaway/Codey)** - Requires certain surgical practices and ambulatory care facilities licensed in this State to be owned by hospital or medical school located in the State

- **A-4719/S-3250 (Moriarty, Mosquera, Vainieri Huttle, DeAngelo, Diegnan, Mukherji/Cruz-Perez, Ruiz)** - Extends use of stored driver's license picture for person undergoing chemotherapy or other treatment for certain medical illnesses

- **CC for A-4863/S-3233 (A.M. Bucco, Phoebus, Munoz, Wisniewski, Oliver/A.R. Bucco)** - Requires warning sign to be posted at pontoon boat rental businesses; designated as "Christopher's Law"

- **AJR-112/SJR-86 (Conaway/Weinberg)** - Designates May of each year as "Cystic Fibrosis Awareness Month"

BILLS POCKET VETOED:

- **S-221/A-4155 (Allen, Vitale/Vainieri Huttle, Sumter, Lampitt)** - Prohibits the restraint of prisoners during and immediately after childbirth

- **S-316/A-1739 (Gordon/Eustace, Ciattarelli, Lagana, Gusciora)** - Increases flexibility, clarity, and available tools of optional municipal consolidation process

- **S-564/A-4186 (Smith, Bateman/Eustace, McKeon, Spencer, Benson)** - Establishes "Solar Roof Installation Warranty Program" in EDA and transfers \$2 million from societal benefits charge to initially fund program

- **S-602/A-3254 (Codey, Vitale/Vainieri Huttle, Angelini, Lampitt, Diegnan, Jasey, Conaway, Moriarty)** - Raises minimum age for purchase and sale of tobacco products and electronic smoking devices from 19 to 21
- **SCS for S-726, 1257/ACS for A-1405 (Turner, Cruz-Perez, Beach, T. Kean/Lampitt, Egan, Quijano, Sumter, Danielsen)** - Establishes innovation zone program to stimulate technology industry clusters around New Jersey's research institutions; allows certain technology businesses located in certain innovation zones to receive certain tax credits under Grow New Jersey Assistance Program
- **S-1232/A-3314 (Weinberg, Pennacchio/Johnson, Greenwald, Wimberly, Mosquera)** - Establishes Office of State Dental Director and New Jersey Oral Health Commission
- **S-1279/A-2325 (Rice, Van Drew/Spencer, Muoio, Benson, Pintor Marin)** - Makes FY 2016 supplemental Grants-in-Aid appropriation of \$10 million to DCA for Lead Hazard Control Assistance Fund
- **S-1414/A-2405 (Smith, Bateman/Eustace, Benson, Johnson)** - Concerns low emission and zero emission vehicles; establishes Clean Vehicle Task Force
- **SCS for S-1420/ACS for A-1603 (Beach, Whelan, Smith, Sweeney, Bateman, Thompson/Spencer, Eustace, Quijano, Wimberly)** - Requires paint producers to implement or participate in paint stewardship program
- **S-1436/A-4687 (Rice/Green, Holley)** - Exempts sales to homeowner assistance and recovery programs from realty transfer fees
- **S-1594/A-4044 (Turner/Peterson, Lagana, Rible, Jasey, Wimberly)** - Requires a public school district to provide a daily recess period for students in grades kindergarten through 5
- **S-1961/A-4111 (Codey/McKeon, Jasey, Vainieri Huttle, Garcia)** - Establishes certain minimum and maximum temperatures in emergency shelters, rooming and boarding houses, and certain nursing homes and residential health care facilities
- **S-2143/ACS for A-1682, 3547 (Van Drew, Singer/Wisniewski, Andrzejczak, Webber)** - Establishes time periods for adverse possession of certain property
- **S-2375/A-3700 (Vitale, Singer/Mazzeo, Vainieri Huttle, Lagana, Sumter, A.M. Bucco)** - Provides for licensure of ambulatory care facilities to provide integrated primary care services including behavioral health care
- **S-2491/A-4069 (Smith/Danielsen, Pinkin, Benson)** - Establishes position of State Oceanographer
- **S-2515/A-3269 (Scutari/Mukherji, Burzichelli, McKeon, Garcia)** - Confers title of Acting Associate Justice of the Supreme Court on certain judges of the Superior Court, Appellate Division, temporarily assigned to the Supreme Court
- **SCS for S-2521/ACS for A-3888 (Gill, Allen/Lampitt, Benson, Vainieri Huttle, Eustace)** - Establishes Pedestrian and Bicycle Safety Advisory Council
- **S-2623/A-4849 (Turner/Wimberly, Mainor, Johnson)** - Requires law enforcement agencies in this State to establish minority recruitment and selection programs; establishes reporting requirement

- **S-2640/A-4026 (Madden, Pou/Lampitt, Mosquera, Vainieri Huttie)** - Establishes New Jersey Caregiver Task Force to evaluate and provide recommendations on caregiver support services

- **S-2711/A-4128 (Smith, Whelan/Mazzeo, DeAngelo, Spencer, Singleton, McKeon, Daniels, Johnson)** - Permits BPU to approve qualified wind energy project; requires BPU to provide application periods for those projects

- **S-2716/A-4359 (Ruiz, Turner/Pintor Marin, Spencer, Sumter, Caride)** - Requires that school district's request for permission to use unrecognized position title include list of abolished positions and positions in which there have been layoffs and detailed job descriptions for them

- **S-2769/AS for ACS for A-4197, 4206 (Smith, Bateman/Andrzejczak, McKeon, Spencer, Pintor Marin, Dancer, Vainieri Huttie)** - Implements 2014 constitutional dedication of CBT revenues for certain environmental purposes; revises State's open space, farmland, and historic preservation programs

- **S-2793/A-3962 (Whelan/Vainieri Huttie)** - Increases from 17 to 21 public members of New Jersey State Council on the Arts; requires members to be residents of NJ; imposes specific criteria for four new members initially appointed

- **S-2806/A-4913 (Cunningham, Vitale, Singer/Muoio, Spencer)** - Removes restrictions on convicted drug offenders receiving general assistance benefits under Work First New Jersey program

- **S-2878/A-4636 (Stack, Weinberg/Jimenez, Lagana, Mukherji, Vainieri Huttie, Giblin, Moriarty)** - Establishes minimum certified nurse aide-to-resident ratios in nursing homes

- **S-2975/A-4548 (Sarlo, Pou/Wimberly)** - Establishes pilot program in Paterson authorizing non-disclosure of records of certain expungements

- **S-3067/A-4653 (Barnes, Turner/Diegnan, Oliver)** - Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate

- **S-3071/A-4639 (Weinberg, Gordon/Vainieri Huttie, Garcia, Eustace, Johnson)**
Establishes Mike Adler Aphasia Task Force to assess needs of persons with aphasia, and their families, and ensure adequate provision of support services and information thereto

- **S-3201/A-3607 (Barnes, Holzapfel/Dancer, McGuckin, Rible, A.M. Bucco)** - Requires interior light of motor vehicle be turned on when stopped by law enforcement under certain circumstances

- **S-3244/A-2740 (Ruiz, Sarlo/Diegnan, Johnson, Jasey)** - Eliminates school district budget per pupil administrative cost limits

- **S-3249/A-4717 (Weinberg, Codey/Johnson, Vainieri Huttie, Eustace, Garcia)** - Requires firearm retailers to sell personalized handguns

- **S-3277/A-4764 (Cruz-Perez/Burzichelli)** - Expands municipal authority to license and inspect residential rental property

- **S-3299/A-4903 (Sweeney, Singer, Vitale/Burzichelli, Rible, Pintor Marin, Mukherji, Lagana, Vainieri Huttie)** -

Maintains property tax exemption for certain nonprofit hospitals with on-site for-profit medical providers; requires these hospitals to pay community service contributions to host municipalities; establishes Nonprofit Hospital Community Service Contribution Study Commission

- **S-3416/A-4808 (Lesniak, Sarlo/Eustace, Gusciora)** - Prohibits possession, transport, import, export, processing, sale, or shipment of parts and products of certain animal species threatened with extinction
- **SJR-77/A-JR104 (Bateman, Whelan/Ciattarelli, McKeon, Eustace)** - Permits county commissioners of registration and boards of election to conduct "Electronic Poll Book Demonstration Project" in certain districts during 2016 elections; requires Division of Elections review and approval of proposed projects
- **A-431/S-2773 (Jimenez/Singer)** - Requires clinical laboratory that provides services for accountable care organization to establish clinical laboratory testing advisory board
- **A-943/S-2967 (Singleton, Conaway, Moriarty, Green, Lampitt, Mazzeo/Van Drew)** - Permits small businesses to qualify for loans from NJEDA for costs of energy audit and making energy efficiency or conservation improvements
- **A-945/S-2402 (Singleton, Lampitt, Schaer, Wimberly, Garcia/Rice, Turner)** - Establishes New Jersey Council on Responsible Fatherhood and Responsible Fatherhood Fund
- **A-964/S-187 (Singleton, DeAngelo, Quijano, Coughlin, Moriarty/Whelan, Madden)** - Requires certain bidders for prevailing wage public work to provide proof that the prevailing wage will be paid
- **A-986/S-247 (Andrzejczak, Benson, Danielsen, Moriarty/Van Drew, Cunningham)** - Establishes telemarketing fraud investigation unit
- **A-1035/S-2040 (Benson, Rible, A.M. Bucco/Scutari, Cardinale)** - Prohibits health insurance carriers from requiring optometrists to become providers with vision care plans as condition of becoming providers in carriers' panel of providers
- **A-1039/S-2310 (Benson, Prieto, Caride, Quijano/Sacco, Greenstein)** - Sets forth certain standards to be followed by law enforcement agencies and fire departments when utilizing drones
- **A-1431/S-1501 (Caride, Singleton, Jasey/Bateman, Addiego)** - Requires State Board of Education regulations regarding school nurse certification to include certain minimum eligibility requirements
- **A-1849/S-1766 (Lampitt, Spencer/Rice)** - Prohibits State Board of Education from limiting number of certain two-year college credits that may be applied towards meeting teacher certification requirements
- **A-2026/S-3317 (Greenwald, Pintor Marin/Sweeney, Oroho)** - Realigning the transfer inheritance tax payment due date to coincide with the payment due dates for State and federal estate taxes
- **A-2583 (DeAngelo, Pintor Marin)** - Requires development of fact sheet about bedbugs to be posted on the Department of Education's website
- **A-2586/S-1796 (DeAngelo, Quijano, Benson/Greenstein)** - Establishes "Energy Infrastructure Study Commission"

- **A-2925/S-1033 (Lagana, O'Scanlon, Burzichelli, Garcia/Weinberg, Oroho, Van Drew)** - Allows modernization for the form of disbursement for certain State government and local unit payments to individuals and business entities
- **A-3460/S-2191 (Conaway, Pinkin, Sumter, Casagrande, Wimberly/Vitale, Cruz-Perez)** - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes
- **A-3806/S-2493 (Singleton, Dancer, Mosquera, Benson/Sweeney, Weinberg)** - Establishes four-year pilot program in Ocean County for electronic monitoring of certain domestic violence offenders; designated as "Lisa's Law"; appropriates \$2.5 million
- **A-4182/S-1995 (Eustace, Sumter, Wimberly, Danielsen, Jimenez/Bateman, Smith)** - Prohibits firearm possession by persons convicted of carjacking, gang criminality, racketeering and terroristic threats
- **A-4271/S-3036 (Conaway, Benson, Pinkin, Wimberly/Vitale, Greenstein)** - Mandates health benefits coverage for opioid analgesics with abuse-deterrent properties
- **A-4343/S-2888 (Schaer, Prieto, Sumter, Danielsen, Johnson/Turner)** - Requires county and municipal police departments to establish cultural diversity training course and plan
- **A-4384/S-3145 (DeAngelo, Pintor Marin, Danielsen, Schaer, Johnson/Whelan)** - Requires BPU to render decision on case within 12 months of final public hearing or hold another public hearing prior to deciding case
- **ACS for A-4576/S-1771 (Johnson, Wimberly, Spencer, Tucker/Turner)** - Requires lowest possible price not exceeding certain cap for inmate telephone calls
- **A-4616/S-2958 (Giblin, DeAngelo, Mukherji/Sweeney)** - Extends by two months seasonal retail consumption alcoholic beverage license
- **A-4652/S-3065 (Benson/Gordon)** - Requires Public Health Counsel to promulgate rules and regulations for use of quality control programs in bio-analytical and clinical laboratories
- **A-4763/SS for SCS for S-2973 (McKeon, Spencer, Pinkin/Smith, Bateman, Greenstein, Codey)** - Revises "Electronic Waste Management Act"
- **A-4772/S-3169 (Burzichelli/Weinberg)** - Permits counties to impose one-percent hotel tax
- **A-4773/S-3146 (Eustace, Garcia, Gusciora/Lesniak)** - Prohibits possession and transport of parts and products of certain animals at PANYNJ airports and port facilities
- **A-4918/S-3301 (Gusciora, S. Kean/Sweeney, Singer)** - Clarifies stadiums and arenas owned by local government entities are exempt from property taxation
- **A-4931/S-3325 (Mazzeo/Sweeney)** - Revises "Casino Property Tax Stabilization Act"

• **NO ACTION TAKEN ON BILLS:**

• **A-3981wGR/S-2572 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan)** - "Casino Property Taxation Stabilization Act"

• **A-3984wGR/S-2575 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan)** - Reallocates casino investment alternative tax to Atlantic City to pay debt service on municipal bonds issued

• **A-3985wGR/S-2576 (Mazzeo, Burzichelli, Andrzejczak, Giblin/Sweeney, Whelan)** - Removes provisions of law relating to Atlantic City Alliance

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