

4:1C-32.1 & 4:1C-32.3
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 275

NJSA: 4:1C-32.1 & 4:1C-32.3 ("New Jersey Rural Microenterprise Act.")

BILL NO: A2839 (Substituted for S2620 (1R))

SPONSOR(S) Burzichelli, John J., and others

DATE INTRODUCED: March 10, 2014

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

SENATE: ---

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 (Second Reprint enacted)	Yes
A2839	
INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
COMMITTEE STATEMENT:	
	ASSEMBLY: Yes
	SENATE: No

(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	12/17/2015 1/11/2016
LEGISLATIVE FISCAL ESTIMATE:	Yes	

S2620 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
COMMITTEE STATEMENT:	
	ASSEMBLY: No
	SENATE: Yes

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FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Three locally sponsored bills signed into law", The Advertiser-News, January 22, 2016

end

P.L.2015, CHAPTER 275, *approved January 19, 2016*
Assembly, No. 2839 (*Second Reprint*)

1 AN ACT concerning the operation of ¹rural¹ microenterprises on
2 preserved farms, amending ¹the title and body of¹ P.L.2005,
3 c.314, and designated as the “New Jersey Rural Microenterprise
4 Act.”

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

8
9 ¹1. The title of P.L.2005, c.314 is amended to read as follows:

10 AN ACT concerning **【commercial nonagricultural】** rural
11 microenterprise activities and personal wireless service facilities
12 on preserved farmland, and supplementing P.L.1983, c.32
13 (C.4:1C-11 et seq.).¹

14
15 ¹**【1.】** 2.¹ Section 1 of P.L.2005, c.314 (C.4:1C-32.1) is
16 amended to read as follows:

17 1. a. Any person who owns qualifying land **【on which a**
18 **development easement was conveyed to, or retained by, the**
19 **committee, a board, or a qualifying tax exempt nonprofit**
20 **organization pursuant to the provisions of section 24 of P.L.1983,**
21 **c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section**
22 **1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180**
23 **(C.4:1C-43.1), or sections 37 through 40 of P.L.1999, c.152**
24 **(C.13:8C-37 through C.13:8C-40)】** may apply for a special permit
25 pursuant to this section to allow a **【commercial nonagricultural**
26 **activity】** rural microenterprise ¹activity¹ to occur on the land.

27 b. The committee, in its sole discretion, may issue a special
28 permit pursuant to this section to the **【landowner if the development**
29 **easement is owned by the committee】** owner of the premises ²if the
30 development easement is owned by the committee or a board. If the
31 development easement is owned by a qualifying tax exempt nonprofit
32 organization, the committee, in consultation with the qualifying tax
33 exempt nonprofit organization, may issue a special permit pursuant to
34 this section to the owner of the premises². The committee **【and the**
35 **board, in their joint discretion, may authorize the committee to issue**
36 **a special permit pursuant to this section to the landowner if the】**
37 shall provide the holder of any development easement **【is owned by**
38 **a board. The committee and the qualifying tax exempt nonprofit**
39 **organization, in their joint discretion, may authorize the committee**

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:

¹**Assembly floor amendments adopted December 17, 2015.**

²**Senate floor amendments adopted January 11, 2016.**

1 to issue a special permit pursuant to this section to the landowner
 2 if on the farm with a copy of the application submitted for the
 3 purposes of subsection a. of this section, and the holder of the
 4 development easement [is owned by a qualifying tax exempt
 5 nonprofit organization] shall have 30 days after the date of receipt
 6 thereof to provide comments to the committee on the application.
 7 Within 90 days after receipt of a completed application, submitted
 8 for the purposes of subsection a. of this section, the committee shall
 9 approve, approve with conditions, or disapprove the application.

10 c. ²~~[(1)]~~² There shall be ²~~[three]~~ ²two² categories of rural
 11 microenterprise activities, as follows:

12 ²~~[(a)]~~ (1)² Class 1 shall include customary rural activities, which
 13 rely on the equipment and aptitude historically possessed by the
 14 agricultural community, ¹~~[including, but not limited to,]~~ such as¹
 15 snow plowing, bed and breakfasts, bakeries, woodworking, and
 16 craft-based businesses; ²and²

17 ²~~[(b)]~~ (2)² Class 2 shall include agriculture support services,
 18 which have a direct and positive impact on agriculture by supplying
 19 needed equipment, supplies, and services to the surrounding
 20 agricultural community, ¹~~[including, but not limited to,]~~ such as¹
 21 veterinary practices, seed suppliers, and tractor or equipment repair
 22 shops; ²and

23 (c) Class 3 shall include unrelated microenterprises, which have
 24 no direct relationship with the agricultural use of the property or the
 25 surrounding agricultural community, ¹~~[including, but not limited~~
 26 to,] such as¹ dog boarding services, professional office space, and
 27 personal training studios.

28 (2) Class 1 and Class 2 activities shall be preferred for
 29 permitting purposes]² ¹~~[:]~~ .¹

30 d. A special permit may be issued pursuant to this section
 31 provided that:

32 (1) the owner of the premises establishes, through the
 33 submission of tax forms, sales receipts, or other appropriate
 34 documentation, as directed by the committee, that (a) the qualifying
 35 land is a commercial farm as defined pursuant to section 3 of
 36 P.L.1983, c.31 (C.4:1C-3) , and (b) the owner of the premises is a
 37 farmer, as defined pursuant to subsection ¹~~[i.]~~ k.¹ of this section;

38 (2) [there is no commercial nonagricultural activity already in
 39 existence on the land at the time of application for the special
 40 permit or on any portion of the farm that is not subject to the
 41 development easement, except that the committee may waive the
 42 requirements of this paragraph, either entirely or subject to any
 43 appropriate conditions, (a) if such preexisting commercial
 44 nonagricultural activity is deemed to be of a minor or insignificant
 45 nature or to rely principally upon farm products, as defined
 46 pursuant to R.S.4:10-1, derived from the farm, or (b) for other good

1 cause shown by the applicant;] ²1 for Class 3 rural microenterprise
2 activities,¹ the owner of the premises, or an immediate family
3 member thereof, is the same person who owns and operates the
4 rural microenterprise;

5 (3)]² the permit is for one [commercial nonagricultural activity]
6 rural microenterprise only;

7 ²[(4)] (3)² no more than one permit [may be] is valid at any one
8 time for use on the qualifying land;

9 ²[(5)] (4)² the permit is for a maximum duration of 20 years
10 [duration];

11 ²[(6)] (5)² the permit does not run with the land and may not be
12 assigned;

13 ²[(7)] (6)² [the commercial nonagricultural activity utilizes, or
14 is supported through the occupation of, a structure or structures
15 existing on the date of enactment of this act, except that the permit
16 may authorize, subject to the requirements of paragraph (12) of this
17 subsection, an expansion of an existing structure or structures which
18 expansion does not exceed 500 square feet in footprint area in total
19 for all of the structures, provided that, for any such expansion, the
20 applicant demonstrates to the satisfaction of the committee that:

21 (a) the purpose or use of the expansion is necessary to the
22 operation or functioning of the commercial nonagricultural activity;

23 (b) the area of the proposed footprint of the expansion is
24 reasonably calculated based solely upon the demands of
25 accommodating the commercial nonagricultural activity and does
26 not incorporate excess space; and

27 (c) the location, design, , height, and aesthetic attributes of the
28 expansion reflect the public interest of preserving the natural and
29 unadulterated appearance of the landscape and structures;

30 (8)] the [commercial nonagricultural activity] rural
31 microenterprise does not interfere with the use of the qualifying
32 land for agricultural ¹or horticultural¹ production;

33 [(9)] ²[(8)] (7)² the [commercial nonagricultural activity] rural
34 microenterprise utilizes the land and structures in their existing
35 condition [except as allowed otherwise pursuant to paragraph (7) of
36 this subsection] ¹[, and is undertaken in compliance with the use
37 restrictions prescribed by subsection e. of this section] , except as
38 allowed in accordance with the use restrictions prescribed in
39 subsection g. of this section¹;

40 [(10)] ²[(9)] (8)² the [commercial nonagricultural activity]
41 total area of land and structures devoted to supporting the rural
42 microenterprise does not exceed a one-acre envelope on the
43 qualifying land;

44 ²[(10)] (9)² the rural microenterprise does not have an adverse
45 impact upon the soils, water resources, air quality, or other natural
46 resources of the land or the surrounding area [, and does not

1 involve the creation of additional parking spaces whether paved or
2 unpaved] ; and

3 ²[(11)] (10)² the [commercial nonagricultural activity] rural
4 microenterprise is not a high traffic volume business [; and (12)
5 any necessary local zoning and land use approvals and any other
6 applicable] , and is undertaken in compliance with the parking and
7 employment restrictions prescribed by subsection ¹[f.] h.¹ of this
8 section.

9 e. ¹The owner of the premises may apply to the committee to
10 renew a permit within 10 years before the date of the scheduled
11 permit expiration. The committee shall review the renewal
12 application in accordance with the process and criteria set forth in
13 this section for the issuance of a special permit ², including the
14 consultation required by subsection b. of this section² .

15 f. The committee shall provide reasonable opportunity for the
16 continued operation of a rural microenterprise in the event of:

17 (1) the death, incapacitation, or retirement of the owner of the
18 premises;

19 (2) transfer of the ownership of the farm; or

20 (3) disruption of income from gross sales of agricultural or
21 horticultural products, caused by circumstances beyond the farmer's
22 control, such as crop failure.

23 g.¹ The use of land and structures for a rural microenterprise
24 activity shall be subject to the following conditions and restrictions:

25 (1) A structure that is designated in the deed of easement as
26 agricultural labor housing, or a structure that has been constructed
27 or designated as agricultural labor housing since the date of the
28 conveyance of the easement, shall not be used for the rural
29 microenterprise;

30 (2) No new ¹[buildings] structures¹ may be constructed on the
31 premises to support a rural microenterprise. Any ¹[building]
32 structure¹ constructed on the premises since the date of the
33 conveyance of the easement, and in accordance with the farmland
34 preservation deed restrictions, shall not be eligible for a special
35 permit for a rural microenterprise for a period of five years
36 following completion of its construction;

37 (3) Improvements shall not be made to the interior of a non-
38 residential structure in order to adapt it for residential use;

39 (4) ¹The entire floor area of existing residential or agricultural
40 building space may be used to support a rural microenterprise where
41 the building has not been substantially altered or finished to support
42 the microenterprise;

43 (5)¹ No more than 2,500 square feet of the interior of ¹[an]¹
44 existing residential or agricultural ¹[structure] building space¹ may
45 be substantially altered or finished to support the rural
46 microenterprise, except that, at the request of the owner of the

1 premises, the committee may allow the alteration or finishing of up
2 to 100 percent of ¹【the interior of】¹ an existing ¹【historic building
3 or】 heritage farm¹ structure, provided that the owner agrees to place
4 on the structure, in a form approved by the committee, ¹【an historic
5 preservation restriction】 a heritage preservation easement¹ , which
6 shall be recorded against the premises, ¹shall be held by the
7 committee,¹ and shall run with the land;

8 ¹【(5)】 (6)¹ The expansion of ¹【an】¹ existing ¹【structure】
9 building space¹ shall be permitted, provided that: (a) the expansion
10 does not exceed 500 square feet in total footprint area; (b) the
11 purpose or use of the expansion is necessary to the operation or
12 functioning of the rural microenterprise; and (c) the area of the
13 proposed footprint of the expansion is reasonably calculated, based
14 solely upon the demands of accommodating the rural
15 microenterprise, and does not incorporate excess space;

16 ¹【(6)】 (7)¹ Improvements to the exterior of a structure shall be
17 compatible with the agricultural character of the premises, and shall
18 not diminish the historic ¹or cultural¹ character of the structure;

19 ¹【(7)】 (8) Repairs may be made to the interior or exterior of a
20 building provided that they do not diminish the historic or cultural
21 character of the structure;

22 (9)¹ The location, design, height, and aesthetic attributes of the
23 rural microenterprise shall reflect the public interest of preserving
24 the natural and unadulterated appearance of the landscape and
25 structures;

26 ¹【(8)】 (10)¹ No public utilities, including water, gas, or sewage,
27 other than those already existing and available on the qualifying
28 land, shall be permitted to be extended to the qualifying land for
29 purposes of the rural microenterprise, except that the establishment
30 of new electric service required for the rural microenterprise shall
31 be permitted; ¹【and

32 (9) (11) On-site septic and well facilities may be established,
33 expanded, or improved for the purpose of supporting the rural
34 microenterprise provided such facilities are contained within the
35 one-acre envelope provided for in paragraph ²【(9)】 (8)² of
36 subsection d. of this section; and

37 (12)¹ No more than a combined total of 5,000 square feet of land
38 may be utilized for the ¹【establishment, expansion, or improvement
39 of wastewater or water supply facilities, or for the】 outside¹ storage
40 of equipment, vehicles, supplies, products, or by-products, in
41 association with the microenterprise. Any improvements to the land
42 ¹【, which】 that¹ are undertaken for the purposes described in this
43 paragraph ¹【.】 or paragraph (11) of this subsection¹ shall be limited
44 to those that are necessary either to protect public health and safety
45 or to minimize disturbance of the premises and its soil and water
46 resources.

1 **1[f.] h.** Parking and employment at a rural microenterprise shall
2 be subject to the following conditions and restrictions:

3 (1) The area dedicated to 'customer' parking shall not exceed
4 2,000 square feet or provide for more than 10 parking spaces;

5 (2) **1**[Each parking space shall not exceed 10 feet by 20 feet in
6 size;

7 (3)**1** Improvements to the parking area shall be limited to those
8 'improvements' that are required to protect public health and safety
9 or minimize the disturbance of soil and water resources on the
10 premises;

11 **1**(3) The number of parking spaces shall be sufficient to
12 accommodate visitors to the rural microenterprise under normal
13 conditions; and¹

14 (4) At peak operational periods, the maximum number of
15 employees or workers 'who are' associated with the rural
16 microenterprise 'and work on the premises' shall not exceed four
17 full-time employees, or the equivalent, in addition to the owner or
18 operator **1**; and

19 (5) the number of employees and visitors to the rural
20 microenterprise, and the volume and frequency of deliveries and
21 truck and other vehicle traffic associated therewith shall not, at any
22 time, exceed the number of designated parking spaces on the
23 qualifying land, or create a nuisance for neighboring properties or
24 the municipality¹.

25 **1**[g.] i. Committee approval of a special permit for a rural
26 microenterprise activity pursuant to this section shall not relieve the
27 applicant from obtaining all other permits, approvals, or
28 authorizations that may be required by federal, State, or local law,
29 rule, regulation, or ordinance **1**are obtained for the commercial
30 nonagricultural activity.

31 d. In addition to those factors enumerated under subsection c.
32 of this section, the committee, in evaluating an application for a
33 special permit, shall also consider such additional factors as traffic
34 generated and the number of employees required by the proposed
35 commercial nonagricultural activity so as to limit to the maximum
36 extent possible the intensity of the activity and its impact on the
37 land and the surrounding area **1**.

38 **1**[h.] j. (1) A rural microenterprise shall not be considered to
39 be an agricultural use as defined in subsection b. of section 3 of
40 P.L.1983, c.32 (C.4:1C-13).

41 (2) Nothing in this section shall be interpreted as providing a
42 rural microenterprise with protection under section 6 of the "Right
43 to Farm Act," P.L.1983, c.31 (C.4:1C-9) if that rural
44 microenterprise is not otherwise eligible for such protection.

45 **1**[e.] **1**[i.] k. For the purposes of this section:

1 **["Commercial nonagricultural activity" shall not include a**
2 **personal wireless service facility as defined and regulated pursuant**
3 **to section 2 of this act;]**

4 "Farmer" means the owner and operator of the premises who
5 **¹[.] :**

6 (1)¹ exclusive of any income received from the rental of lands,
7 realized gross sales of at least \$2,500 for agricultural or
8 horticultural products produced on the premises during the calendar
9 year immediately preceding submission of a special permit
10 application ¹[.]

11 "Historic building or structure" means the same as that term is
12 defined pursuant to subsection c. of section 2 of P.L.2001, c.405
13 (C.13:8C-40.2).

14 "Historic preservation restriction" means the same as that term is
15 defined pursuant to subsection d. of section 2 of P.L.1979, c.378
16 (C.13:8B-2).] ; and

17 (2) continues to own and operate the premises and meet that
18 income threshold every year during the term of the permit.

19 "Heritage farm structure" means a building or structure that is
20 significantly representative of New Jersey's agrarian history or
21 culture and that has been designated as such by the committee
22 exclusively for the purposes of sections 1 and 3 of P.L.2005, c.314
23 (C.4:1C-32.1 and C.4:1C-32.3).

24 "Heritage preservation easement" means an interest in land less
25 than fee simple absolute, stated in the form of a deed restriction
26 executed by or on behalf of the owner of the land, appropriate to
27 preserving a building or structure that is significant for its value or
28 importance to New Jersey's agrarian history or culture, and to be
29 used exclusively for the purposes of implementing sections 1 and 3
30 of P.L.2005, c.314 (C.4:1C-32.1 and C.4:1C-32.3), to limit
31 alteration in exterior form or features of such building or structure.¹

32 **²["Immediate family member" means a spouse, child, parent,**
33 **sibling, grandparent, grandchild, father-in-law, mother-in-law, son-**
34 **in-law, daughter-in-law, stepparent, stepchild, stepbrother,**
35 **stepsister, half brother, or half sister of the owner of the premises,**
36 **whether the individual is related by blood, marriage, or adoption.]²**

37 "Owner of the premises" means the person ¹or entity¹ who
38 **¹[owned] owns¹ qualifying land ¹[on the date on which a**
39 **development easement was conveyed to, or retained by, the**
40 **committee, a board, or a qualifying tax exempt nonprofit**
41 **organization, and who has continuously owned the qualifying land**
42 **since that date; or an immediate family member of such person; or,**
43 **in cases where such person applied for and was issued a permit for a**
44 **rural microenterprise, all successors in title thereto]¹ .**

45 "Qualifying land" means a farm [that was preserved for farmland
46 preservation purposes] **on which a development easement was**
47 conveyed to, or retained by, the committee, a board, or a qualifying

1 tax exempt nonprofit organization prior to ¹January 12, 2006,¹ the
 2 date of enactment of **【this act under any of the laws cited in**
 3 **subsection a. of this section】** ¹**【P.L. , c. (C.) (pending**
 4 **before the Legislature as this bill)】** P.L.2005, c.314 (C.4:1C-32.1 et
 5 seq.)¹ , and in accordance with the provisions of section 24 of
 6 P.L.1983, c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-
 7 31.1), section 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of
 8 P.L.1999, c.180 (C.4:1C-43.1), or sections 37 through 40 of
 9 P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), and for which
 10 no portion of the farm was excluded from preservation in the deed
 11 of easement **【from preservation; and】** .

12 "Qualifying tax exempt nonprofit organization" **【shall have the**
 13 **same meaning as set forth in】** means the same as that term is
 14 defined pursuant to section 3 of P.L.1999, c.152 (C.13:8C-3).

15 “Rural microenterprise” means a small-scale business or activity
 16 that is fully compatible with agricultural use and production on the
 17 premises, does not, at any time, detract from, diminish, or interfere
 18 with the agricultural use of the premises, and is incidental to the
 19 agricultural use of the premises. “Rural microenterprise” shall not
 20 include a personal wireless service facility as defined and regulated
 21 pursuant to section 2 of P.L.2005, c.314 (C.4:1C-32.2).

22 (cf: P.L.2005, c.314, s.1)

23
 24 ¹**【2.】 3.**¹ Section 3 of P.L.2005, c.314 (C.4:1C-32.3) is amended
 25 to read as follows:

26 3. a. The application fee for a special permit authorized
 27 pursuant to **【either】** section 1 **【or】** of P.L.2005, c.314 (C.4:1C-
 28 32.1) shall be \$250. The application fee for a special permit
 29 authorized pursuant to section 2 of 【this act】 P.L.2005, c.314
 30 (C.4:1C-32.2) shall be \$1,000 【,】 . All application fees shall be
 31 payable to the committee regardless of whether or not a permit is
 32 issued. All proceeds from the collection of application fees by the
 33 committee pursuant to 【this act】 P.L.2005, c.314 (C.4:1C-32.1 et
 34 seq.) shall be utilized by the committee for farmland preservation
 35 purposes.

36 b. The committee may suspend or revoke a special permit
 37 issued pursuant to **【either】** section 1 or **【section】** 2 of **【this act for a**
 38 **violation of】** P.L.2005, c.314 (C.4:1C-32.1 or C.4:1C-32.2) if the
 39 permittee violates any term or condition of the permit , or any
 40 provision of the **【respective】** applicable statutory section.

41 c. **【The committee shall, within 60】** (1) In order to expedite
 42 the review and approval of routine applications for a special permit,
 43 which have been submitted pursuant to section 1 or 2 of P.L.2005,
 44 c.314 (C.4:1C-32.1 or C.4:1C-32.2), the committee may delegate to
 45 its executive director, by resolution, the authority to review and
 46 approve an application. The delegation of review and approval

1 authority pursuant to this subsection shall be authorized by the
 2 committee only in those cases where (a) the committee has not
 3 received comments from the board or a qualifying nonprofit
 4 organization concerning the potential negative impacts of an
 5 application's approval, and (b) the application complies with all
 6 provisions of P.L.2005, c.314 (C.4:1C-32.1 et seq.) and the rules
 7 and regulations adopted pursuant thereto.

8 (2) An applicant whose application is denied by the executive
 9 director may appeal the decision to the committee.

10 (3) Nothing in this subsection shall preclude the executive
 11 director from bringing any application before the committee for
 12 review and approval, when such action is deemed by the executive
 13 director to be appropriate.

14 d. ¹["If an applicant is aggrieved by an action of the"] The¹
 15 committee ¹["], which has been undertaken"] may take action to deny
 16 an application for a special permit or to suspend or revoke a special
 17 permit issued¹ pursuant to P.L.2005, c.314 (C.4:1C-32.1 et seq.)
 18 ¹["in association with an application for, or suspension or revocation
 19 of, a special permit, the applicant may submit to the committee, a
 20 written request for a hearing on the matter, within 20 days after
 21 receipt of notice of the committee's action"] . The applicant or
 22 permittee shall be afforded the opportunity for a hearing prior to the
 23 committee taking any such action¹.

24 e. Within ¹["180 days"] two years¹ after the date of enactment
 25 of ["this act, develop guidelines for the implementation and
 26 administration of this act, including, but not limited to"] P.L. ,
 27 c. (C.) (pending before the Legislature as this bill), the
 28 committee shall adopt rules and regulations, pursuant to the
 29 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
 30 seq.), as is necessary to implement and administer the provisions of
 31 P.L.2005, c.314 (C.4:1C-32.1 et seq.), as amended by P.L. ,
 32 c. (C.) (pending before the Legislature as this bill). These
 33 rules and regulations shall include, at a minimum , procedures and
 34 standards for the filing, evaluation, and approval of special permit
 35 applications, which procedures and standards shall seek to balance,
 36 as equally important concepts, the public interest in : (1)
 37 protecting farmland from further development as a means of
 38 preserving agriculture [and] ; (2) protecting ¹["historically
 39 significant agricultural"] heritage farm¹ structures and enhancing the
 40 beauty and character of the State and the local communities where
 41 farmland has been preserved ["with the public interest in"] ; and (3)
 42 providing support to sustain and strengthen the agricultural industry
 43 in the State.

44 [d.] f. Every two years, the committee shall prepare a report on
 45 the implementation of ["this act"] P.L.2005, c.314 (C.4:1C-32.1 et
 46 seq.), as amended by P.L. , c. (C.) (pending before the

1 Legislature as this bill . The report shall include a survey and
 2 inventory of :

3 (1) all **commercial nonagricultural** rural microenterprise
 4 activities occurring **on** , and **of** all personal wireless service
 5 facilities placed on **,** preserved farmland in accordance with
 6 **[this act]** the provisions of P.L.2005, c.314 (C.4:1C-32.1 et seq.);

7 (2) the extent to which existing structures, such as barns, sheds,
 8 and silos, are used for **[those]** the purposes identified in paragraph
 9 (1) of this subsection , and **[how]** the manner in which those
 10 existing structures have been modified **[therefor]** to serve those
 11 purposes ;

12 (3) the extent to which new structures, instead of existing
 13 structures, have been erected to host personal wireless service
 14 facilities , and the number and type of new structures used to
 15 disguise those facilities, such as artificial trees and faux barns,
 16 sheds, and silos;

17 (4) the extent to which ¹**[historically significant]** heritage farm¹
 18 structures have been protected through the placement thereon of
 19 ¹**[historic preservation restrictions]** heritage preservation
 20 easements¹ ; and **[such]**

21 (5) any other information **[as]** the committee deems useful.

22 **[The]** Any report prepared pursuant to this subsection shall be
 23 transmitted to the Governor, and, in accordance with the provisions
 24 of section 2 of P.L.1991, c.164 (C.52:14-19.1), to the President of
 25 the Senate **,** and the Speaker of the General Assembly, as well as
 26 to the respective chairpersons of the Senate Economic Growth
 27 Committee, the Senate Environment and Energy Committee, the
 28 Assembly Agriculture and Natural Resources Committee, and the
 29 Assembly Environment and Solid Waste Committee , or their
 30 designated successors. Copies of the report shall also be made
 31 available to the public upon request and free of charge, and shall be
 32 posted at a publicly-accessible location on the committee's Internet
 33 website **[of the State Agriculture Development Committee.**

34 e. The committee shall adopt, pursuant to the "Administrative
 35 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and
 36 regulations necessary to carry out the purposes of this act **]** .

37 (cf: P.L.2005, c.314, s.3)

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39 ¹**[3.] 4.**¹ This act shall take effect immediately.

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44 _____
 "New Jersey Rural Microenterprise Act."

ASSEMBLY, No. 2839

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED MARCH 10, 2014

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblywoman Pinkin

SYNOPSIS

Authorizes State Agriculture Development Committee to permit operation of certain microenterprises on certain preserved farms; designated as "New Jersey Rural Microenterprise Act."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/11/2014)

A2839 BURZICHELLI

2

1 AN ACT concerning the operation of microenterprises on preserved
2 farms, amending P.L.2005, c.314, and designated as the “New
3 Jersey Rural Microenterprise Act.”

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

7
8 1. Section 1 of P.L.2005, c.314 (C.4:1C-32.1) is amended to
9 read as follows:

10 1. a. Any person who owns qualifying land **【on which a**
11 **development easement was conveyed to, or retained by, the**
12 **committee, a board, or a qualifying tax exempt nonprofit**
13 **organization pursuant to the provisions of section 24 of P.L.1983,**
14 **c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section**
15 **1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180**
16 **(C.4:1C-43.1), or sections 37 through 40 of P.L.1999, c.152**
17 **(C.13:8C-37 through C.13:8C-40)】 may apply for a special permit**
18 **pursuant to this section to allow a 【commercial nonagricultural**
19 **activity】 rural microenterprise to occur on the land.**

20 b. The committee, in its sole discretion, may issue a special
21 permit pursuant to this section to the **【landowner if the development**
22 **easement is owned by the committee】 owner of the premises** . The
23 committee **【and the board, in their joint discretion, may authorize**
24 **the committee to issue a special permit pursuant to this section to**
25 **the landowner if the】 shall provide the holder of any development**
26 **easement 【is owned by a board. The committee and the qualifying**
27 **tax exempt nonprofit organization, in their joint discretion, may**
28 **authorize the committee to issue a special permit pursuant to this**
29 **section to the landowner if】 on the farm with a copy of the**
30 **application submitted for the purposes of subsection a. of this**
31 **section, and the holder of the development easement 【is owned by a**
32 **qualifying tax exempt nonprofit organization】 shall have 30 days**
33 **after the date of receipt thereof to provide comments to the**
34 **committee on the application. Within 90 days after receipt of a**
35 **completed application, submitted for the purposes of subsection a.**
36 **of this section, the committee shall approve, approve with**
37 **conditions, or disapprove the application.**

38 c. (1) There shall be three categories of rural microenterprise
39 activities, as follows:

40 (a) Class 1 shall include customary rural activities, which rely
41 on the equipment and aptitude historically possessed by the
42 agricultural community, including, but not limited to, snow
43 plowing, bed and breakfasts, bakeries, woodworking, and craft-
44 based businesses;

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 **(b) Class 2 shall include agriculture support services, which**
2 **have a direct and positive impact on agriculture by supplying**
3 **needed equipment, supplies, and services to the surrounding**
4 **agricultural community, including, but not limited to, veterinary**
5 **practices, seed suppliers, and tractor or equipment repair shops; and**

6 **(c) Class 3 shall include unrelated microenterprises, which have**
7 **no direct relationship with the agricultural use of the property or the**
8 **surrounding agricultural community, including, but not limited to,**
9 **dog boarding services, professional office space, and personal**
10 **training studios.**

11 **(2) Class 1 and Class 2 activities shall be preferred for**
12 **permitting purposes:**

13 **d.** A special permit may be issued pursuant to this section
14 provided that:

15 **(1) the owner of the premises establishes, through the**
16 **submission of tax forms, sales receipts, or other appropriate**
17 **documentation, as directed by the committee, that (a) the qualifying**
18 **land is a commercial farm as defined pursuant to section 3 of**
19 **P.L.1983, c.31 (C.4:1C-3) , and (b) the owner of the premises is a**
20 **farmer, as defined pursuant to subsection i. of this section;**

21 **(2) [there is no commercial nonagricultural activity already in**
22 **existence on the land at the time of application for the special**
23 **permit or on any portion of the farm that is not subject to the**
24 **development easement, except that the committee may waive the**
25 **requirements of this paragraph, either entirely or subject to any**
26 **appropriate conditions, (a) if such preexisting commercial**
27 **nonagricultural activity is deemed to be of a minor or insignificant**
28 **nature or to rely principally upon farm products, as defined**
29 **pursuant to R.S.4:10-1, derived from the farm, or (b) for other good**
30 **cause shown by the applicant;] the owner of the premises, or an**
31 **immediate family member thereof, is the same person who owns**
32 **and operates the rural microenterprise;**

33 **(3) the permit is for one [commercial nonagricultural activity]**
34 **rural microenterprise only;**

35 **(4) no more than one permit [may be] is valid at any one time**
36 **for use on the qualifying land;**

37 **(5) the permit is for a maximum duration of 20 years**
38 **[duration];**

39 **(6) the permit does not run with the land and may not be**
40 **assigned;**

41 **(7) [the commercial nonagricultural activity utilizes, or is**
42 **supported through the occupation of, a structure or structures**
43 **existing on the date of enactment of this act, except that the permit**
44 **may authorize, subject to the requirements of paragraph (12) of this**
45 **subsection, an expansion of an existing structure or structures which**
46 **expansion does not exceed 500 square feet in footprint area in total**

1 for all of the structures, provided that, for any such expansion, the
2 applicant demonstrates to the satisfaction of the committee that:

3 (a) the purpose or use of the expansion is necessary to the
4 operation or functioning of the commercial nonagricultural activity;

5 (b) the area of the proposed footprint of the expansion is
6 reasonably calculated based solely upon the demands of
7 accommodating the commercial nonagricultural activity and does
8 not incorporate excess space; and

9 (c) the location, design,, height, and aesthetic attributes of the
10 expansion reflect the public interest of preserving the natural and
11 unadulterated appearance of the landscape and structures;

12 **[(8)]** the **[(commercial nonagricultural activity)]** rural
13 microenterprise does not interfere with the use of the qualifying
14 land for agricultural production;

15 **[(9)]** (8) the **[(commercial nonagricultural activity)]** rural
16 microenterprise utilizes the land and structures in their existing
17 condition **[(except as allowed otherwise pursuant to paragraph (7) of**
18 **this subsection] , and is undertaken in compliance with the use**
19 **restrictions prescribed by subsection e. of this section ;**

20 **[(10)]** (9) the **[(commercial nonagricultural activity)]** total area
21 of land and structures devoted to supporting the rural
22 microenterprise does not exceed a one-acre envelope on the
23 qualifying land;

24 (10) the rural microenterprise does not have an adverse impact
25 upon the soils, water resources, air quality, or other natural
26 resources of the land or the surrounding area **[(, and does not**
27 **involve the creation of additional parking spaces whether paved or**
28 **unpaved] ; and**

29 (11) the **[(commercial nonagricultural activity)]** rural
30 microenterprise is not a high traffic volume business **[(; and (12)**
31 **any necessary local zoning and land use approvals and any other**
32 **applicable] , and is undertaken in compliance with the parking and**
33 **employment restrictions prescribed by subsection f. of this section.**

34 e. The use of land and structures for a rural microenterprise
35 activity shall be subject to the following conditions and restrictions:

36 (1) A structure that is designated in the deed of easement as
37 agricultural labor housing, or a structure that has been constructed
38 or designated as agricultural labor housing since the date of the
39 conveyance of the easement, shall not be used for the rural
40 microenterprise;

41 (2) No new buildings may be constructed on the premises to
42 support a rural microenterprise. Any building constructed on the
43 premises since the date of the conveyance of the easement, and in
44 accordance with the farmland preservation deed restrictions, shall
45 not be eligible for a special permit for a rural microenterprise for a
46 period of five years following completion of its construction;

1 (3) Improvements shall not be made to the interior of a non-
2 residential structure in order to adapt it for residential use;

3 (4) No more than 2,500 square feet of the interior of an existing
4 residential or agricultural structure may be substantially altered or
5 finished to support the rural microenterprise, except that, at the
6 request of the owner of the premises, the committee may allow the
7 alteration or finishing of up to 100 percent of the interior of an
8 existing historic building or structure, provided that the owner
9 agrees to place on the structure, in a form approved by the
10 committee, an historic preservation restriction, which shall be
11 recorded against the premises, and shall run with the land;

12 (5) The expansion of an existing structure shall be permitted,
13 provided that: (a) the expansion does not exceed 500 square feet in
14 total footprint area; (b) the purpose or use of the expansion is
15 necessary to the operation or functioning of the rural
16 microenterprise; and (c) the area of the proposed footprint of the
17 expansion is reasonably calculated, based solely upon the demands
18 of accommodating the rural microenterprise, and does not
19 incorporate excess space;

20 (6) Improvements to the exterior of a structure shall be
21 compatible with the agricultural character of the premises, and shall
22 not diminish the historic character of the structure;

23 (7) The location, design, height, and aesthetic attributes of the
24 rural microenterprise shall reflect the public interest of preserving
25 the natural and unadulterated appearance of the landscape and
26 structures;

27 (8) No public utilities, including water, gas, or sewage, other
28 than those already existing and available on the qualifying land,
29 shall be permitted to be extended to the qualifying land for purposes
30 of the rural microenterprise, except that the establishment of new
31 electric service required for the rural microenterprise shall be
32 permitted; and

33 (9) No more than a combined total of 5,000 square feet of land
34 may be utilized for the establishment, expansion, or improvement of
35 wastewater or water supply facilities, or for the storage of
36 equipment, vehicles, supplies, products, or by-products, in
37 association with the microenterprise. Any improvements to the
38 land, which are undertaken for the purposes described in this
39 paragraph, shall be limited to those that are necessary either to
40 protect public health and safety or to minimize disturbance of the
41 premises and its soil and water resources.

42 f. Parking and employment at a rural microenterprise shall be
43 subject to the following conditions and restrictions:

44 (1) The area dedicated to parking shall not exceed 2,000 square
45 feet or provide for more than 10 parking spaces;

46 (2) Each parking space shall not exceed 10 feet by 20 feet in
47 size;

1 (3) Improvements to the parking area shall be limited to those
2 that are required to protect public health and safety or minimize the
3 disturbance of soil and water resources on the premises;

4 (4) At peak operational periods, the maximum number of
5 employees or workers associated with the rural microenterprise
6 shall not exceed four full-time employees, or the equivalent, in
7 addition to the owner or operator; and

8 (5) the number of employees and visitors to the rural
9 microenterprise, and the volume and frequency of deliveries and
10 truck and other vehicle traffic associated therewith shall not, at any
11 time, exceed the number of designated parking spaces on the
12 qualifying land, or create a nuisance for neighboring properties or
13 the municipality.

14 g. Committee approval of a special permit for a rural
15 microenterprise activity pursuant to this section shall not relieve the
16 applicant from obtaining all other permits, approvals , or
17 authorizations that may be required by federal, State, or local law,
18 rule, regulation, or ordinance [are obtained for the commercial
19 nonagricultural activity.

20 d. In addition to those factors enumerated under subsection c.
21 of this section, the committee, in evaluating an application for a
22 special permit, shall also consider such additional factors as traffic
23 generated and the number of employees required by the proposed
24 commercial nonagricultural activity so as to limit to the maximum
25 extent possible the intensity of the activity and its impact on the
26 land and the surrounding area】 .

27 h. (1) A rural microenterprise shall not be considered to be an
28 agricultural use as defined in subsection b. of section 3 of P.L.1983,
29 c.32 (C.4:1C-13).

30 (2) Nothing in this section shall be interpreted as providing a
31 rural microenterprise with protection under section 6 of the “Right
32 to Farm Act,” P.L.1983, c.31 (C.4:1C-9) if that rural
33 microenterprise is not otherwise eligible for such protection.

34 **【e.】** i. For the purposes of this section:

35 **【**“Commercial nonagricultural activity” shall not include a
36 personal wireless service facility as defined and regulated pursuant
37 to section 2 of this act;**】**

38 “Farmer” means the owner and operator of the premises who,
39 exclusive of any income received from the rental of lands, realized
40 gross sales of at least \$2,500 for agricultural or horticultural
41 products produced on the premises during the calendar year
42 immediately preceding submission of a special permit application.

43 “Historic building or structure” means the same as that term is
44 defined pursuant to subsection c. of section 2 of P.L.2001, c.405
45 (C.13:8C-40.2).

46 “Historic preservation restriction” means the same as that term is
47 defined pursuant to subsection d. of section 2 of P.L.1979, c.378
48 (C.13:8B-2).

1 “Immediate family member” means a spouse, child, parent,
2 sibling, grandparent, grandchild, father-in-law, mother-in-law, son-
3 in-law, daughter-in-law, stepparent, stepchild, stepbrother,
4 stepsister, half brother, or half sister of the owner of the premises,
5 whether the individual is related by blood, marriage, or adoption.

6 “Owner of the premises” means the person who owned
7 qualifying land on the date on which a development easement was
8 conveyed to, or retained by, the committee, a board, or a qualifying
9 tax exempt nonprofit organization, and who has continuously
10 owned the qualifying land since that date; or an immediate family
11 member of such person; or, in cases where such person applied for
12 and was issued a permit for a rural microenterprise, all successors in
13 title thereto.

14 “Qualifying land” means a farm **【**that was preserved for farmland
15 preservation purposes**】** on which a development easement was
16 conveyed to, or retained by, the committee, a board, or a qualifying
17 tax exempt nonprofit organization prior to the date of enactment of
18 **【**this act under any of the laws cited in subsection a. of this section**】**
19 P.L. , c. (C.) (pending before the Legislature as this bill),
20 and in accordance with the provisions of section 24 of P.L.1983,
21 c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section
22 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180
23 (C.4:1C-43.1), or sections 37 through 40 of P.L.1999, c.152
24 (C.13:8C-37 through C.13:8C-40), and for which no portion of the
25 farm was excluded from preservation in the deed of easement **【**from
26 preservation; and**】** .

27 “Qualifying tax exempt nonprofit organization” **【**shall have the
28 same meaning as set forth in**】** means the same as that term is
29 defined pursuant to section 3 of P.L.1999, c.152 (C.13:8C-3).

30 “Rural microenterprise” means a small-scale business or activity
31 that is fully compatible with agricultural use and production on the
32 premises, does not, at any time, detract from, diminish, or interfere
33 with the agricultural use of the premises, and is incidental to the
34 agricultural use of the premises. “Rural microenterprise” shall not
35 include a personal wireless service facility as defined and regulated
36 pursuant to section 2 of P.L.2005, c.314 (C.4:1C-32.2).

37 (cf: P.L.2005, c.314, s.1)

38

39 2. Section 3 of P.L.2005, c.314 (C.4:1C-32.3) is amended to
40 read as follows:

41 3. a. The application fee for a special permit authorized
42 pursuant to **【**either**】** section 1 **【**or**】** of P.L.2005, c.314 (C.4:1C-
43 32.1) shall be \$250. The application fee for a special permit
44 authorized pursuant to section 2 of **【**this act**】** P.L.2005, c.314
45 (C.4:1C-32.2) shall be \$1,000 **【**,**】** . All application fees shall be
46 payable to the committee regardless of whether or not a permit is
47 issued. All proceeds from the collection of application fees by the

1 committee pursuant to **【this act】** P.L.2005, c.314 (C.4:1C-32.1 et
2 seq.) shall be utilized by the committee for farmland preservation
3 purposes.

4 b. The committee may suspend or revoke a special permit
5 issued pursuant to **【either】** section 1 or **【section】** 2 of **【this act for a**
6 **violation of】** P.L.2005, c.314 (C.4:1C-32.1 or C.4:1C-32.2) if the
7 permittee violates any term or condition of the permit , or any
8 provision of the **【respective】** applicable statutory section.

9 c. **【The committee shall, within 60】** (1) In order to expedite
10 the review and approval of routine applications for a special permit,
11 which have been submitted pursuant to section 1 or 2 of P.L.2005,
12 c.314 (C.4:1C-32.1 or C.4:1C-32.2), the committee may delegate to
13 its executive director, by resolution, the authority to review and
14 approve an application. The delegation of review and approval
15 authority pursuant to this subsection shall be authorized by the
16 committee only in those cases where (a) the committee has not
17 received comments from the board or a qualifying nonprofit
18 organization concerning the potential negative impacts of an
19 application’s approval, and (b) the application complies with all
20 provisions of P.L.2005, c.314 (C.4:1C-32.1 et seq.) and the rules
21 and regulations adopted pursuant thereto.

22 (2) An applicant whose application is denied by the executive
23 director may appeal the decision to the committee.

24 (3) Nothing in this subsection shall preclude the executive
25 director from bringing any application before the committee for
26 review and approval, when such action is deemed by the executive
27 director to be appropriate.

28 d. If an applicant is aggrieved by an action of the committee,
29 which has been undertaken pursuant to P.L.2005, c.314 (C.4:1C-
30 32.1 et seq.) in association with an application for, or suspension or
31 revocation of, a special permit, the applicant may submit to the
32 committee, a written request for a hearing on the matter, within 20
33 days after receipt of notice of the committee’s action.

34 e. Within 180 days after the date of enactment of **【this act,**
35 develop guidelines for the implementation and administration of
36 this act, including, but not limited to】 P.L. , c. (C.)
37 (pending before the Legislature as this bill), the committee shall
38 adopt rules and regulations, pursuant to the “Administrative
39 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as is
40 necessary to implement and administer the provisions of P.L.2005,
41 c.314 (C.4:1C-32.1 et seq.), as amended by P.L. , c. (C.)
42 (pending before the Legislature as this bill). These rules and
43 regulations shall include, at a minimum , procedures and standards
44 for the filing, evaluation, and approval of special permit
45 applications, which procedures and standards shall seek to balance,
46 as equally important concepts, the public interest in : (1)
47 protecting farmland from further development as a means of

1 preserving agriculture **【and】** ; (2) protecting historically significant
2 agricultural structures and enhancing the beauty and character of the
3 State and the local communities where farmland has been preserved
4 **【with the public interest in】** ; and (3) providing support to sustain
5 and strengthen the agricultural industry in the State.

6 **【d.】** f. Every two years, the committee shall prepare a report on
7 the implementation of **【this act】** P.L.2005, c.314 (C.4:1C-32.1 et
8 seq.), as amended by P.L. , c. (C.) (pending before the
9 Legislature as this bill) . The report shall include a survey and
10 inventory of :

11 (1) all **【commercial nonagricultural】** rural microenterprise
12 activities occurring 【on】 , and **【of】** all personal wireless service
13 facilities placed , on 【,】 preserved farmland in accordance with
14 **【this act】** the provisions of P.L.2005, c.314 (C.4:1C-32.1 et seq.);

15 (2) the extent to which existing structures, such as barns, sheds,
16 and silos, are used for **【those】** the purposes identified in paragraph
17 (1) of this subsection , and **【how】** the manner in which those
18 existing structures have been modified **【therefor】** to serve those
19 purposes ;

20 (3) the extent to which new structures, instead of existing
21 structures, have been erected to host personal wireless service
22 facilities , and the number and type of new structures used to
23 disguise those facilities, such as artificial trees and faux barns,
24 sheds, and silos;

25 (4) the extent to which historically significant structures have
26 been protected through the placement thereon of historic
27 preservation restrictions; and 【such】

28 (5) any other information **【as】** the committee deems useful.

29 **【The】** Any report prepared pursuant to this subsection shall be
30 transmitted to the Governor, and, in accordance with the provisions
31 of section 2 of P.L.1991, c.164 (C.52:14-19.1), to the President of
32 the Senate 【,】 and the Speaker of the General Assembly, as well as
33 to the respective chairpersons of the Senate Economic Growth
34 Committee, the Senate Environment and Energy Committee, the
35 Assembly Agriculture and Natural Resources Committee, and the
36 Assembly Environment and Solid Waste Committee , or their
37 designated successors. Copies of the report shall also be made
38 available to the public upon request and free of charge, and shall be
39 posted at a publicly-accessible location on the committee's Internet
40 website 【of the State Agriculture Development Committee.

41 e. The committee shall adopt, pursuant to the "Administrative
42 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and
43 regulations necessary to carry out the purposes of this act**【】** .

44 (cf: P.L.2005, c.314, s.3)

45

46 3. This act shall take effect immediately.

STATEMENT

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This bill, designated as the “New Jersey Rural Microenterprise Act,” would support the viability of family farms in the State by enhancing the ability of certain owners of preserved farmland to expand the economic activity taking place on that land in a manner that is consistent with the objectives of the State’s farmland preservation program. The bill would further provide an opportunity and means to protect historically significant barns and other farm structures that contribute to the State’s rural landscape and history.

Existing law authorizes the State Agricultural Development Committee (SADC) to issue a special permit to allow a commercial nonagricultural activity to occur on preserved farmland. The bill would amend this existing law in order to correct any past inequity in the farmland preservation program application process, whereby a farm owner was potentially unaware of, or was denied, the opportunity to take an exception, or to exclude any part of his or her farm from the application, at the time of preservation, which exception or exclusion would have enabled the farm owner to conduct nonagricultural activities on a portion of the farm.

Specifically, the bill would authorize certain preserved farm owners to apply to the committee for a special permit that would allow the farm owner to undertake a rural microenterprise on the farm premises. These rural microenterprises could include:

- (1) customary rural activities, such as snow plowing, bed and breakfasts, bakeries, woodworking, and craft-based businesses;
- (2) agriculture support services that are useful to the surrounding agricultural community, such as veterinarian practices, seed suppliers, and tractor or equipment repair shops; or
- (3) microenterprises that are unrelated to agriculture or the surrounding agricultural community, such as dog kennels, professional office space, or personal training studios.

The bill would require the SADC to give preference to the microenterprise activities identified in categories (1) and (2), and it would permit the development of nonagricultural microenterprises only if they are compatible with agriculture and do not interfere with the agricultural use of the preserved farmland.

The bill would prohibit the use of newly-constructed buildings, and the substantial alteration of any existing residential or agricultural structure beyond an area of 2,500 square feet, in order to support a rural microenterprise. However, it would authorize the SADC to allow for the alteration, conversion, or completion of up to 100 percent of the interior of an existing historic building or structure on preserved farmland, provided that the owner agrees to record on the structure an historic preservation restriction that would run with the land.

1 The bill would authorize the issuance of a special permit
2 provided that:

3 (1) the owner of the premises establishes, through the
4 submission of tax forms, sales receipts, or other appropriate
5 documentation, as directed by the committee, that the qualifying
6 land is a commercial farm, and that the owner of the premises is a
7 farmer;

8 (2) the owner of the premises, or an immediate family member
9 thereof, is the same person who owns and operates the rural
10 microenterprise;

11 (3) the permit is for one rural microenterprise only;

12 (4) no more than one permit is valid at any one time for use on
13 the qualifying land;

14 (5) the permit is for a maximum duration of 20 years;

15 (6) the permit does not run with the land and may not be
16 assigned;

17 (7) the rural microenterprise does not interfere with the use of
18 the qualifying land for agricultural production;

19 (8) the rural microenterprise utilizes the land and structures in
20 their existing condition, and is undertaken in compliance with
21 various use restrictions prescribed by the bill;

22 (9) the total area of land and structures devoted to supporting
23 the rural microenterprise does not exceed a one-acre envelope on
24 the qualifying land;

25 (10) the rural microenterprise does not have an adverse impact
26 upon the soils, water resources, air quality, or other natural
27 resources of the land or the surrounding area; and

28 (11) the rural microenterprise is not a high traffic volume
29 business, and is undertaken in compliance with parking and
30 employment restrictions prescribed by the bill.

31 By protecting the agricultural use of preserved farmland and
32 promoting the preservation of historically significant agricultural
33 structures, this bill will help affected farm families maintain the
34 viability of their preserved farms for generations to come, while
35 continuing to protect the public investment in farmland
36 preservation.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2839

STATE OF NEW JERSEY

DATED: OCTOBER 27, 2014

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 2839.

This bill, designated as the “New Jersey Rural Microenterprise Act,” would support the viability of family farms in the State by enhancing the ability of certain owners of preserved farmland to expand the economic activity taking place on that land in a manner that is consistent with the objectives of the State’s farmland preservation program. The bill would further provide an opportunity and means to protect historically significant barns and other farm structures that contribute to the State’s rural landscape and history.

Existing law authorizes the State Agriculture Development Committee (SADC) to issue a special permit to allow a commercial nonagricultural activity to occur on preserved farmland. The bill would amend this existing law in order to correct any past inequity in the farmland preservation program application process, whereby a farm owner was potentially unaware of, or was denied, the opportunity to take an exception, or to exclude any part of his or her farm from the application, at the time of preservation, which exception or exclusion would have enabled the farm owner to conduct nonagricultural activities on a portion of the farm.

Specifically, the bill would authorize certain preserved farm owners to apply to the committee for a special permit that would allow the farm owner to undertake a rural microenterprise on the farm premises. These rural microenterprises could include:

- 1) customary rural activities, such as snow plowing, bed and breakfasts, bakeries, woodworking, and craft-based businesses;
- 2) agriculture support services that are useful to the surrounding agricultural community, such as veterinarian practices, seed suppliers, and tractor or equipment repair shops; or
- 3) microenterprises that are unrelated to agriculture or the surrounding agricultural community, such as dog kennels, professional office space, or personal training studios.

The bill would require the SADC to give preference to the microenterprise activities identified in categories (1) and (2), and it would permit the development of nonagricultural microenterprises

only if they are compatible with agriculture and do not interfere with the agricultural use of the preserved farmland.

The bill would prohibit the use of newly-constructed buildings, and the substantial alteration of any existing residential or agricultural structure beyond an area of 2,500 square feet, in order to support a rural microenterprise. However, it would authorize the SADC to allow for the alteration, conversion, or completion of up to 100 percent of the interior of an existing historic building or structure on preserved farmland, provided that the owner agrees to record on the structure an historic preservation restriction that would run with the land.

The bill would authorize the issuance of a special permit provided that:

- 1) the owner of the premises establishes, through the submission of tax forms, sales receipts, or other appropriate documentation, as directed by the committee, that the qualifying land is a commercial farm, and that the owner of the premises is a farmer;

- 2) the owner of the premises, or an immediate family member thereof, is the same person who owns and operates the rural microenterprise;

- 3) the permit is for one rural microenterprise only;

- 4) no more than one permit is valid at any one time for use on the qualifying land;

- 5) the permit is for a maximum duration of 20 years;

- 6) the permit does not run with the land and may not be assigned;

- 7) the rural microenterprise does not interfere with the use of the qualifying land for agricultural production;

- 8) the rural microenterprise utilizes the land and structures in their existing condition, and is undertaken in compliance with various use restrictions prescribed by the bill;

- 9) the total area of land and structures devoted to supporting the rural microenterprise does not exceed a one-acre envelope on the qualifying land;

- 10) the rural microenterprise does not have an adverse impact upon the soils, water resources, air quality, or other natural resources of the land or the surrounding area; and

- 11) the rural microenterprise is not a high traffic volume business, and is undertaken in compliance with parking and employment restrictions prescribed by the bill.

STATEMENT TO
ASSEMBLY, No. 2839

with Assembly Floor Amendments
(Proposed by Assemblyman BURZICHELLI)

ADOPTED: DECEMBER 17, 2015

These floor amendments:

1) require, for a special permit to be issued for a Class 3 rural microenterprise activity, that the owner of the premises or an immediate family member thereof, is the same person who owns and operates the rural microenterprise;

2) provide for renewal of special permits;

3) require the State Agriculture and Development Committee (SADC) to provide reasonable opportunity for continued operation of rural microenterprises under certain circumstances;

4) allow the entire floor area of existing residential or agricultural building space to be used for a rural microenterprise where the building has not been substantially altered for that purpose;

5) permit establishment, expansion, or improvement of on-site septic and well facilities with certain restrictions;

6) revise the parking and employment conditions and restrictions at rural microenterprises;

7) add definitions for the terms “heritage farm structure” and “heritage preservation easement”;

8) revise the use of certain terms in the bill to refer to “structures,” “building space,” “heritage farm structures,” and “heritage preservation easements”;

9) revise the definition of “farmer” to require the farmer, in addition to realizing gross sales of at least \$2,500 for agricultural or horticultural products produced on the premises during the calendar year immediately preceding submission of a special permit application, to continue to own and operate the premises and meet that threshold income every year during the term of the permit;

10) revise the definition of “qualifying land” to provide that only land preserved by a development easement conveyed or retained prior to January 12, 2006 would qualify for a special permit for rural microenterprise activities;

11) require the SADC to hold a hearing before taking action on any application denial or special permit suspension or revocation;

12) provide two years after the date of enactment of the bill for the SADC to adopt regulations; and

13) make numerous technical and clarifying amendments.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2839

STATE OF NEW JERSEY 216th LEGISLATURE

DATED: DECEMBER 29, 2015

SUMMARY

- Synopsis:** Authorizes State Agriculture Development Committee to permit operation of certain microenterprises on certain preserved farms; designated as “New Jersey Rural Microenterprise Act.”
- Type of Impact:** Possible expenditure and revenue increases to the General Fund.
- Agencies Affected:** State Agriculture Development Committee

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate – See comments below		
State Revenue	Indeterminate – See comments below		

- The Office of Legislative Services (OLS) estimates that the State Agriculture Development Committee (SADC) may incur some additional costs to implement and administer a special permit process to allow the operation of rural microenterprises on certain preserved farms.
- Depending on the number of special permits issued for rural microenterprises, if any, additional revenue may be available to the committee for farmland preservation purposes.
- According to informal information provided by the SADC, no additional costs are expected to be incurred by the committee. The committee expects to use existing staff and resources to implement and administer the “New Jersey Rural Microenterprise Act.”

The OLS notes that the bill requires that all application fees for special permits for rural microenterprises are to be utilized by the committee for farmland preservation purposes. Therefore, if any additional costs are incurred by the committee, they would not be offset by the permit application fees collected.

BILL DESCRIPTION

Assembly Bill No. 2839 (1R) of 2014, designated as the “New Jersey Rural Microenterprise Act,” would enhance the ability of certain owners of preserved farmland to expand the economic activity taking place on that land, subject to a number of conditions enumerated in the bill, in a manner that is consistent with the objectives of the State’s farmland preservation program. A “rural microenterprise” is defined in the bill as a small-scale business or activity that is fully compatible with agricultural use and production on the premises, does not, at any time, detract from, diminish, or interfere with the agricultural use of the premises, and is incidental to the agricultural use of the premises. The bill would further provide an opportunity and means to protect historically significant barns and other farm structures that contribute to the State’s rural landscape and history. Existing law authorizes the SADC to issue a special permit to allow a commercial nonagricultural activity to occur on preserved farmland. The bill would amend this existing law in order to correct any past inequity in the farmland preservation program application process for those farm owners earlier in the program history who were unaware of, or were denied, the opportunity to take an exception, or to exclude any part of their farms from the application, at the time of preservation. Taking such an exception or exclusion would have enabled the farm owner to conduct nonagricultural activities on a portion of the farm. The bill would apply only to farms preserved before January 12, 2006.

The bill would also authorize the committee to issue special permits to allow the operation of rural microenterprises on certain preserved farms. The application fee for a special permit would be \$250. A farm could have no more than one permit for one rural microenterprise at any one time. The bill requires all proceeds from the collection of application fees to be utilized by the committee for farmland preservation purposes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

According to informal information provided by the SADC, no additional costs are expected to be incurred by the committee. The committee expects to use existing staff and resources to implement and administer the “New Jersey Rural Microenterprise Act.”

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the SADC may incur some additional costs to implement and administer a special permit process to allow the operation of rural microenterprises on certain preserved farms. Depending on the number of special permits issued for rural microenterprises, if any, additional revenue may be available to the committee for farmland preservation purposes. The OLS notes that the bill requires that all application fees for special permits for rural microenterprises are to be utilized by the committee for farmland preservation purposes. Therefore, if any additional costs are incurred by the committee, they would not be offset by the permit application fees collected.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Joseph A. Hroncich
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2839

with Senate Floor Amendments
(Proposed by Senator OROHO)

ADOPTED: JANUARY 11, 2016

These floor amendments would remove “Class 3” microenterprises from the types of microenterprises that could have been allowed by the bill on preserved farmland under certain conditions. “Class 3” microenterprises are microenterprises that have no direct relationship with the agricultural use of the property or the surrounding agricultural community, such as dog boarding services, professional office space, and personal training studios.

SENATE, No. 2620

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED DECEMBER 8, 2014

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Authorizes State Agriculture Development Committee to permit operation of certain microenterprises on certain preserved farms; designated as “New Jersey Rural Microenterprise Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/19/2014)

1 AN ACT concerning the operation of microenterprises on preserved
2 farms, amending P.L.2005, c.314, and designated as the “New
3 Jersey Rural Microenterprise Act.”

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

7
8 1. Section 1 of P.L.2005, c.314 (C.4:1C-32.1) is amended to
9 read as follows:

10 1. a. Any person who owns qualifying land **【on which a**
11 **development easement was conveyed to, or retained by, the**
12 **committee, a board, or a qualifying tax exempt nonprofit**
13 **organization pursuant to the provisions of section 24 of P.L.1983,**
14 **c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section**
15 **1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180**
16 **(C.4:1C-43.1), or sections 37 through 40 of P.L.1999, c.152**
17 **(C.13:8C-37 through C.13:8C-40)】 may apply for a special permit**
18 **pursuant to this section to allow a 【commercial nonagricultural**
19 **activity】 rural microenterprise to occur on the land.**

20 b. The committee, in its sole discretion, may issue a special
21 permit pursuant to this section to the **【landowner if the development**
22 **easement is owned by the committee】 owner of the premises** . The
23 committee **【and the board, in their joint discretion, may authorize**
24 **the committee to issue a special permit pursuant to this section to**
25 **the landowner if the】 shall provide the holder of any development**
26 **easement 【is owned by a board. The committee and the qualifying**
27 **tax exempt nonprofit organization, in their joint discretion, may**
28 **authorize the committee to issue a special permit pursuant to this**
29 **section to the landowner if】 on the farm with a copy of the**
30 **application submitted for the purposes of subsection a. of this**
31 **section, and the holder of the development easement 【is owned by a**
32 **qualifying tax exempt nonprofit organization】 shall have 30 days**
33 **after the date of receipt thereof to provide comments to the**
34 **committee on the application. Within 90 days after receipt of a**
35 **completed application, submitted for the purposes of subsection a.**
36 **of this section, the committee shall approve, approve with**
37 **conditions, or disapprove the application.**

38 c. (1) There shall be three categories of rural microenterprise
39 activities, as follows:

40 (a) Class 1 shall include customary rural activities, which rely
41 on the equipment and aptitude historically possessed by the
42 agricultural community, including, but not limited to, snow
43 plowing, bed and breakfasts, bakeries, woodworking, and craft-
44 based businesses;

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 (b) Class 2 shall include agriculture support services, which
2 have a direct and positive impact on agriculture by supplying
3 needed equipment, supplies, and services to the surrounding
4 agricultural community, including, but not limited to, veterinary
5 practices, seed suppliers, and tractor or equipment repair shops; and

6 (c) Class 3 shall include unrelated microenterprises, which have
7 no direct relationship with the agricultural use of the property or the
8 surrounding agricultural community, including, but not limited to,
9 dog boarding services, professional office space, and personal
10 training studios.

11 (2) Class 1 and Class 2 activities shall be preferred for
12 permitting purposes:

13 d. A special permit may be issued pursuant to this section
14 provided that:

15 (1) the owner of the premises establishes, through the
16 submission of tax forms, sales receipts, or other appropriate
17 documentation, as directed by the committee, that (a) the qualifying
18 land is a commercial farm as defined pursuant to section 3 of
19 P.L.1983, c.31 (C.4:1C-3) , and (b) the owner of the premises is a
20 farmer, as defined pursuant to subsection i. of this section;

21 (2) **【there is no commercial nonagricultural activity already in**
22 **existence on the land at the time of application for the special**
23 **permit or on any portion of the farm that is not subject to the**
24 **development easement, except that the committee may waive the**
25 **requirements of this paragraph, either entirely or subject to any**
26 **appropriate conditions, (a) if such preexisting commercial**
27 **nonagricultural activity is deemed to be of a minor or insignificant**
28 **nature or to rely principally upon farm products, as defined**
29 **pursuant to R.S.4:10-1, derived from the farm, or (b) for other good**
30 **cause shown by the applicant;】** the owner of the premises, or an
31 immediate family member thereof, is the same person who owns
32 and operates the rural microenterprise;

33 (3) the permit is for one **【commercial nonagricultural activity】**
34 rural microenterprise only;

35 (4) no more than one permit **【may be】** is valid at any one time
36 for use on the qualifying land;

37 (5) the permit is for a maximum duration of 20 years
38 **【duration】;**

39 (6) the permit does not run with the land and may not be
40 assigned;

41 (7) **【the commercial nonagricultural activity utilizes, or is**
42 **supported through the occupation of, a structure or structures**
43 **existing on the date of enactment of this act, except that the permit**
44 **may authorize, subject to the requirements of paragraph (12) of this**
45 **subsection, an expansion of an existing structure or structures which**
46 **expansion does not exceed 500 square feet in footprint area in total**

1 for all of the structures, provided that, for any such expansion, the
2 applicant demonstrates to the satisfaction of the committee that:

3 (a) the purpose or use of the expansion is necessary to the
4 operation or functioning of the commercial nonagricultural activity;

5 (b) the area of the proposed footprint of the expansion is
6 reasonably calculated based solely upon the demands of
7 accommodating the commercial nonagricultural activity and does
8 not incorporate excess space; and

9 (c) the location, design,, height, and aesthetic attributes of the
10 expansion reflect the public interest of preserving the natural and
11 unadulterated appearance of the landscape and structures;

12 **[(8)]** the **[commercial nonagricultural activity]** rural
13 microenterprise does not interfere with the use of the qualifying
14 land for agricultural production;

15 **[(9)]** (8) the **[commercial nonagricultural activity]** rural
16 microenterprise utilizes the land and structures in their existing
17 condition **[except as allowed otherwise pursuant to paragraph (7) of**
18 **this subsection]** , and is undertaken in compliance with the use
19 restrictions prescribed by subsection e. of this section ;

20 **[(10)]** (9) the **[commercial nonagricultural activity]** total area
21 of land and structures devoted to supporting the rural
22 microenterprise does not exceed a one-acre envelope on the
23 qualifying land;

24 (10) the rural microenterprise does not have an adverse impact
25 upon the soils, water resources, air quality, or other natural
26 resources of the land or the surrounding area **[, and does not**
27 **involve the creation of additional parking spaces whether paved or**
28 **unpaved]** ; and

29 (11) the **[commercial nonagricultural activity]** rural
30 microenterprise is not a high traffic volume business **[; and (12)**
31 **any necessary local zoning and land use approvals and any other**
32 **applicable]** , and is undertaken in compliance with the parking and
33 employment restrictions prescribed by subsection f. of this section.

34 e. The use of land and structures for a rural microenterprise
35 activity shall be subject to the following conditions and restrictions:

36 (1) A structure that is designated in the deed of easement as
37 agricultural labor housing, or a structure that has been constructed
38 or designated as agricultural labor housing since the date of the
39 conveyance of the easement, shall not be used for the rural
40 microenterprise;

41 (2) No new buildings may be constructed on the premises to
42 support a rural microenterprise. Any building constructed on the
43 premises since the date of the conveyance of the easement, and in
44 accordance with the farmland preservation deed restrictions, shall
45 not be eligible for a special permit for a rural microenterprise for a
46 period of five years following completion of its construction;

1 (3) Improvements shall not be made to the interior of a non-
2 residential structure in order to adapt it for residential use;

3 (4) No more than 2,500 square feet of the interior of an existing
4 residential or agricultural structure may be substantially altered or
5 finished to support the rural microenterprise, except that, at the
6 request of the owner of the premises, the committee may allow the
7 alteration or finishing of up to 100 percent of the interior of an
8 existing historic building or structure, provided that the owner
9 agrees to place on the structure, in a form approved by the
10 committee, an historic preservation restriction, which shall be
11 recorded against the premises, and shall run with the land;

12 (5) The expansion of an existing structure shall be permitted,
13 provided that: (a) the expansion does not exceed 500 square feet in
14 total footprint area; (b) the purpose or use of the expansion is
15 necessary to the operation or functioning of the rural
16 microenterprise; and (c) the area of the proposed footprint of the
17 expansion is reasonably calculated, based solely upon the demands
18 of accommodating the rural microenterprise, and does not
19 incorporate excess space;

20 (6) Improvements to the exterior of a structure shall be
21 compatible with the agricultural character of the premises, and shall
22 not diminish the historic character of the structure;

23 (7) The location, design, height, and aesthetic attributes of the
24 rural microenterprise shall reflect the public interest of preserving
25 the natural and unadulterated appearance of the landscape and
26 structures;

27 (8) No public utilities, including water, gas, or sewage, other
28 than those already existing and available on the qualifying land,
29 shall be permitted to be extended to the qualifying land for purposes
30 of the rural microenterprise, except that the establishment of new
31 electric service required for the rural microenterprise shall be
32 permitted; and

33 (9) No more than a combined total of 5,000 square feet of land
34 may be utilized for the establishment, expansion, or improvement of
35 wastewater or water supply facilities, or for the storage of
36 equipment, vehicles, supplies, products, or by-products, in
37 association with the microenterprise. Any improvements to the
38 land, which are undertaken for the purposes described in this
39 paragraph, shall be limited to those that are necessary either to
40 protect public health and safety or to minimize disturbance of the
41 premises and its soil and water resources.

42 f. Parking and employment at a rural microenterprise shall be
43 subject to the following conditions and restrictions:

44 (1) The area dedicated to parking shall not exceed 2,000 square
45 feet or provide for more than 10 parking spaces;

46 (2) Each parking space shall not exceed 10 feet by 20 feet in
47 size;

1 (3) Improvements to the parking area shall be limited to those
2 that are required to protect public health and safety or minimize the
3 disturbance of soil and water resources on the premises;

4 (4) At peak operational periods, the maximum number of
5 employees or workers associated with the rural microenterprise
6 shall not exceed four full-time employees, or the equivalent, in
7 addition to the owner or operator; and

8 (5) the number of employees and visitors to the rural
9 microenterprise, and the volume and frequency of deliveries and
10 truck and other vehicle traffic associated therewith shall not, at any
11 time, exceed the number of designated parking spaces on the
12 qualifying land, or create a nuisance for neighboring properties or
13 the municipality.

14 g. Committee approval of a special permit for a rural
15 microenterprise activity pursuant to this section shall not relieve the
16 applicant from obtaining all other permits, approvals , or
17 authorizations that may be required by federal, State, or local law,
18 rule, regulation, or ordinance [are obtained for the commercial
19 nonagricultural activity.

20 d. In addition to those factors enumerated under subsection c.
21 of this section, the committee, in evaluating an application for a
22 special permit, shall also consider such additional factors as traffic
23 generated and the number of employees required by the proposed
24 commercial nonagricultural activity so as to limit to the maximum
25 extent possible the intensity of the activity and its impact on the
26 land and the surrounding area】 .

27 h. (1) A rural microenterprise shall not be considered to be an
28 agricultural use as defined in subsection b. of section 3 of P.L.1983,
29 c.32 (C.4:1C-13).

30 (2) Nothing in this section shall be interpreted as providing a
31 rural microenterprise with protection under section 6 of the “Right
32 to Farm Act,” P.L.1983, c.31 (C.4:1C-9) if that rural
33 microenterprise is not otherwise eligible for such protection.

34 **【e.】** i. For the purposes of this section:

35 **【**“Commercial nonagricultural activity” shall not include a
36 personal wireless service facility as defined and regulated pursuant
37 to section 2 of this act;**】**

38 “Farmer” means the owner and operator of the premises who,
39 exclusive of any income received from the rental of lands, realized
40 gross sales of at least \$2,500 for agricultural or horticultural
41 products produced on the premises during the calendar year
42 immediately preceding submission of a special permit application.

43 “Historic building or structure” means the same as that term is
44 defined pursuant to subsection c. of section 2 of P.L.2001, c.405
45 (C.13:8C-40.2).

46 “Historic preservation restriction” means the same as that term is
47 defined pursuant to subsection d. of section 2 of P.L.1979, c.378
48 (C.13:8B-2).

1 “Immediate family member” means a spouse, child, parent,
2 sibling, grandparent, grandchild, father-in-law, mother-in-law, son-
3 in-law, daughter-in-law, stepparent, stepchild, stepbrother,
4 stepsister, half brother, or half sister of the owner of the premises,
5 whether the individual is related by blood, marriage, or adoption.

6 “Owner of the premises” means the person who owned
7 qualifying land on the date on which a development easement was
8 conveyed to, or retained by, the committee, a board, or a qualifying
9 tax exempt nonprofit organization, and who has continuously
10 owned the qualifying land since that date; or an immediate family
11 member of such person; or, in cases where such person applied for
12 and was issued a permit for a rural microenterprise, all successors in
13 title thereto.

14 “Qualifying land” means a farm **【**that was preserved for farmland
15 preservation purposes**】** on which a development easement was
16 conveyed to, or retained by, the committee, a board, or a qualifying
17 tax exempt nonprofit organization prior to the date of enactment of
18 **【**this act under any of the laws cited in subsection a. of this section**】**
19 P.L. , c. (C.) (pending before the Legislature as this bill),
20 and in accordance with the provisions of section 24 of P.L.1983,
21 c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section
22 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180
23 (C.4:1C-43.1), or sections 37 through 40 of P.L.1999, c.152
24 (C.13:8C-37 through C.13:8C-40), and for which no portion of the
25 farm was excluded from preservation in the deed of easement **【**from
26 preservation; and**】** .

27 “Qualifying tax exempt nonprofit organization” **【**shall have the
28 same meaning as set forth in**】** means the same as that term is
29 defined pursuant to section 3 of P.L.1999, c.152 (C.13:8C-3).

30 “Rural microenterprise” means a small-scale business or activity
31 that is fully compatible with agricultural use and production on the
32 premises, does not, at any time, detract from, diminish, or interfere
33 with the agricultural use of the premises, and is incidental to the
34 agricultural use of the premises. “Rural microenterprise” shall not
35 include a personal wireless service facility as defined and regulated
36 pursuant to section 2 of P.L.2005, c.314 (C.4:1C-32.2).

37 (cf: P.L.2005, c.314, s.1)

38

39 2. Section 3 of P.L.2005, c.314 (C.4:1C-32.3) is amended to
40 read as follows:

41 3. a. The application fee for a special permit authorized
42 pursuant to **【**either**】** section 1 **【**or**】** of P.L.2005, c.314 (C.4:1C-
43 32.1) shall be \$250. The application fee for a special permit
44 authorized pursuant to section 2 of **【**this act**】** P.L.2005, c.314
45 (C.4:1C-32.2) shall be \$1,000 **【**,**】** . All application fees shall be
46 payable to the committee regardless of whether or not a permit is
47 issued. All proceeds from the collection of application fees by the

1 committee pursuant to **【this act】** P.L.2005, c.314 (C.4:1C-32.1 et
2 seq.) shall be utilized by the committee for farmland preservation
3 purposes.

4 b. The committee may suspend or revoke a special permit
5 issued pursuant to **【either】** section 1 or **【section】** 2 of **【this act for a**
6 **violation of】** P.L.2005, c.314 (C.4:1C-32.1 or C.4:1C-32.2) if the
7 permittee violates any term or condition of the permit , or any
8 provision of the **【respective】** applicable statutory section.

9 c. **【The committee shall, within 60】** (1) In order to expedite
10 the review and approval of routine applications for a special permit,
11 which have been submitted pursuant to section 1 or 2 of P.L.2005,
12 c.314 (C.4:1C-32.1 or C.4:1C-32.2), the committee may delegate to
13 its executive director, by resolution, the authority to review and
14 approve an application. The delegation of review and approval
15 authority pursuant to this subsection shall be authorized by the
16 committee only in those cases where (a) the committee has not
17 received comments from the board or a qualifying nonprofit
18 organization concerning the potential negative impacts of an
19 application’s approval, and (b) the application complies with all
20 provisions of P.L.2005, c.314 (C.4:1C-32.1 et seq.) and the rules
21 and regulations adopted pursuant thereto.

22 (2) An applicant whose application is denied by the executive
23 director may appeal the decision to the committee.

24 (3) Nothing in this subsection shall preclude the executive
25 director from bringing any application before the committee for
26 review and approval, when such action is deemed by the executive
27 director to be appropriate.

28 d. If an applicant is aggrieved by an action of the committee,
29 which has been undertaken pursuant to P.L.2005, c.314 (C.4:1C-
30 32.1 et seq.) in association with an application for, or suspension or
31 revocation of, a special permit, the applicant may submit to the
32 committee, a written request for a hearing on the matter, within 20
33 days after receipt of notice of the committee’s action.

34 e. Within 180 days after the date of enactment of **【this act,**
35 develop guidelines for the implementation and administration of
36 this act, including, but not limited to】 P.L. , c. (C.)
37 (pending before the Legislature as this bill), the committee shall
38 adopt rules and regulations, pursuant to the “Administrative
39 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as is
40 necessary to implement and administer the provisions of P.L.2005,
41 c.314 (C.4:1C-32.1 et seq.), as amended by P.L. , c. (C.)
42 (pending before the Legislature as this bill). These rules and
43 regulations shall include, at a minimum , procedures and standards
44 for the filing, evaluation, and approval of special permit
45 applications, which procedures and standards shall seek to balance,
46 as equally important concepts, the public interest in : (1)
47 protecting farmland from further development as a means of

1 preserving agriculture **and** ; (2) protecting historically significant
 2 agricultural structures and enhancing the beauty and character of the
 3 State and the local communities where farmland has been preserved
 4 **with the public interest in** ; and (3) providing support to sustain
 5 and strengthen the agricultural industry in the State.

6 **d.** f. Every two years, the committee shall prepare a report on
 7 the implementation of **this act** P.L.2005, c.314 (C.4:1C-32.1 et
 8 seq.), as amended by P.L. , c. (C.) (pending before the
 9 Legislature as this bill) . The report shall include a survey and
 10 inventory of :

11 (1) all **commercial nonagricultural** rural microenterprise
 12 activities occurring on , and **of** all personal wireless service
 13 facilities placed on , **preserved farmland in accordance with**
 14 **this act** the provisions of P.L.2005, c.314 (C.4:1C-32.1 et seq.);

15 (2) the extent to which existing structures, such as barns, sheds,
 16 and silos, are used for **those** the purposes identified in paragraph
 17 (1) of this subsection , and **how** the manner in which those
 18 existing structures have been modified **therefor** to serve those
 19 purposes ;

20 (3) the extent to which new structures, instead of existing
 21 structures, have been erected to host personal wireless service
 22 facilities , and the number and type of new structures used to
 23 disguise those facilities, such as artificial trees and faux barns,
 24 sheds, and silos;

25 (4) the extent to which historically significant structures have
 26 been protected through the placement thereon of historic
 27 preservation restrictions; and **such**

28 (5) any other information **as** the committee deems useful.

29 **The** Any report prepared pursuant to this subsection shall be
 30 transmitted to the Governor, and, in accordance with the provisions
 31 of section 2 of P.L.1991, c.164 (C.52:14-19.1), to the President of
 32 the Senate **,** and the Speaker of the General Assembly, as well as
 33 to the respective chairpersons of the Senate Economic Growth
 34 Committee, the Senate Environment and Energy Committee, the
 35 Assembly Agriculture and Natural Resources Committee, and the
 36 Assembly Environment and Solid Waste Committee , or their
 37 designated successors. Copies of the report shall also be made
 38 available to the public upon request and free of charge, and shall be
 39 posted at a publicly-accessible location on the committee's Internet
 40 website **of the State Agriculture Development Committee.**

41 e. The committee shall adopt, pursuant to the "Administrative
 42 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and
 43 regulations necessary to carry out the purposes of this act

44 (cf: P.L.2005, c.314, s.3)

45

46 3. This act shall take effect immediately.

STATEMENT

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This bill, designated as the “New Jersey Rural Microenterprise Act,” would support the viability of family farms in the State by enhancing the ability of certain owners of preserved farmland to expand the economic activity taking place on that land in a manner that is consistent with the objectives of the State’s farmland preservation program. The bill would further provide an opportunity and means to protect historically significant barns and other farm structures that contribute to the State’s rural landscape and history.

Existing law authorizes the State Agriculture Development Committee (SADC) to issue a special permit to allow a commercial nonagricultural activity to occur on preserved farmland. The bill would amend this existing law in order to correct any past inequity in the farmland preservation program application process, whereby a farm owner was potentially unaware of, or was denied, the opportunity to take an exception, or to exclude any part of his or her farm from the application, at the time of preservation, which exception or exclusion would have enabled the farm owner to conduct nonagricultural activities on a portion of the farm.

Specifically, the bill would authorize certain preserved farm owners to apply to the committee for a special permit that would allow the farm owner to undertake a rural microenterprise on the farm premises. These rural microenterprises could include:

- 1) customary rural activities, such as snow plowing, bed and breakfasts, bakeries, woodworking, and craft-based businesses;
- 2) agriculture support services that are useful to the surrounding agricultural community, such as veterinarian practices, seed suppliers, and tractor or equipment repair shops; or
- 3) microenterprises that are unrelated to agriculture or the surrounding agricultural community, such as dog kennels, professional office space, or personal training studios.

The bill would require the SADC to give preference to the microenterprise activities identified in categories (1) and (2), and it would permit the development of nonagricultural microenterprises only if they are compatible with agriculture and do not interfere with the agricultural use of the preserved farmland.

The bill would prohibit the use of newly-constructed buildings, and the substantial alteration of any existing residential or agricultural structure beyond an area of 2,500 square feet, in order to support a rural microenterprise. However, it would authorize the SADC to allow for the alteration, conversion, or completion of up to 100 percent of the interior of an existing historic building or structure on preserved farmland, provided that the owner agrees to record on the structure an historic preservation restriction that would run with the land.

1 The bill would authorize the issuance of a special permit
2 provided that:

3 1) the owner of the premises establishes, through the
4 submission of tax forms, sales receipts, or other appropriate
5 documentation, as directed by the committee, that the qualifying
6 land is a commercial farm, and that the owner of the premises is a
7 farmer;

8 2) the owner of the premises, or an immediate family member
9 thereof, is the same person who owns and operates the rural
10 microenterprise;

11 3) the permit is for one rural microenterprise only;

12 4) no more than one permit is valid at any one time for use on
13 the qualifying land;

14 5) the permit is for a maximum duration of 20 years;

15 6) the permit does not run with the land and may not be
16 assigned;

17 7) the rural microenterprise does not interfere with the use of
18 the qualifying land for agricultural production;

19 8) the rural microenterprise utilizes the land and structures in
20 their existing condition, and is undertaken in compliance with
21 various use restrictions prescribed by the bill;

22 9) the total area of land and structures devoted to supporting
23 the rural microenterprise does not exceed a one-acre envelope on
24 the qualifying land;

25 10) the rural microenterprise does not have an adverse impact
26 upon the soils, water resources, air quality, or other natural
27 resources of the land or the surrounding area; and

28 11) the rural microenterprise is not a high traffic volume
29 business, and is undertaken in compliance with parking and
30 employment restrictions prescribed by the bill.

31 By protecting the agricultural use of preserved farmland and
32 promoting the preservation of historically significant agricultural
33 structures, this bill will help affected farm families maintain the
34 viability of their preserved farms for generations to come, while
35 continuing to protect the public investment in farmland
36 preservation.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 2620

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 7, 2016

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 2620.

As amended and reported, this bill, designated as the “New Jersey Rural Microenterprise Act,” enhances the ability of certain owners of preserved farmland to expand the economic activity taking place on that land in a manner that is consistent with the objectives of the State’s farmland preservation program.

Existing law authorizes the State Agriculture Development Committee (SADC) to issue a special permit to allow a commercial nonagricultural activity to occur on preserved farmland. The bill instead authorizes certain preserved farm owners to apply to the SADC for a special permit that allows the farm owner to undertake a rural microenterprise on the farm premises. These rural microenterprises could include:

- 1) customary rural activities, such as snow plowing, bed and breakfasts, bakeries, woodworking, and craft-based businesses; or
- 2) agriculture support services that are useful to the surrounding agricultural community, such as veterinarian practices, seed suppliers, and tractor or equipment repair shops.

The bill prohibits the use of newly-constructed buildings, and the substantial alteration of any existing residential or agricultural heritage farm structure beyond an area of 2,500 square feet, in order to support a rural microenterprise. However, the bill authorizes the SADC to allow for the alteration, conversion, or completion of up to 100 percent of the interior of an existing heritage farm structure on preserved farmland, provided that the owner agrees to record on the structure a heritage preservation easement that will run with the land.

The bill authorizes the issuance of a special permit provided that:

- 1) the owner of the premises establishes, through the submission of tax forms, sales receipts, or other appropriate documentation, as directed by the SADC, that the qualifying land is a commercial farm, and that the owner of the premises is a farmer;
- 2) the permit is for one rural microenterprise only;
- 3) no more than one permit is valid at any one time for use on the qualifying land;

- 4) the permit is for a maximum duration of 20 years;
- 5) the permit does not run with the land and may not be assigned;
- 6) the rural microenterprise does not interfere with the use of the qualifying land for agricultural production;
- 7) the rural microenterprise utilizes the land and structures in their existing condition, and is undertaken in compliance with various use restrictions prescribed by the bill;
- 8) the total area of land and structures devoted to supporting the rural microenterprise does not exceed a one-acre envelope on the qualifying land;
- 9) the rural microenterprise does not have an adverse impact upon the soils, water resources, air quality, or other natural resources of the land or the surrounding area; and
- 10) the rural microenterprise is not a high traffic volume business, and is undertaken in compliance with parking and employment restrictions prescribed by the bill.

The committee amended the bill to:

- 1) revise the entities that must be consulted by the SADC when issuing a rural microenterprise permit;
- 2) revise the types of activities that qualify as eligible rural microenterprise activities;
- 3) provide for renewal of special permits;
- 4) require the SADC to provide reasonable opportunity for continued operation of rural microenterprises under certain circumstances;
- 5) allow the entire floor area of existing residential or agricultural building space to be used for a rural microenterprise where the building has not been substantially altered for that purpose;
- 6) permit establishment, expansion, or improvement of on-site septic and well facilities with certain restrictions;
- 7) revise the parking and employment conditions and restrictions at rural microenterprises;
- 8) add definitions for the terms “heritage farm structure” and “heritage preservation easement”;
- 9) revise the use of certain terms in the bill to refer to “structures,” “building space,” “heritage farm structures,” and “heritage preservation easements”;
- 10) revise the definition of “farmer” to require the farmer, in addition to realizing gross sales of at least \$2,500 for agricultural or horticultural products produced on the premises during the calendar year immediately preceding submission of a special permit application, to continue to own and operate the premises and meet that threshold income every year during the term of the permit;
- 11) revise the definition of “qualifying land” to provide that only land preserved by a development easement conveyed or retained prior to January 12, 2006 would qualify for a special permit for rural microenterprise activities;

12) require the SADC to hold a hearing before taking action on any application denial or special permit suspension or revocation;

13) provide two years after the date of enactment of the bill for the SADC to adopt regulations;

14) change the synopsis to “The New Jersey Rural Microenterprise Act”; and

15) make numerous technical and clarifying amendments.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2620

STATE OF NEW JERSEY 216th LEGISLATURE

DATED: JANUARY 14, 2016

SUMMARY

- Synopsis:** The “New Jersey Rural Microenterprise Act.”
- Type of Impact:** Possible expenditure and revenue increases to the General Fund.
- Agencies Affected:** State Agriculture Development Committee

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate – See comments below		
State Revenue	Indeterminate – See comments below		

- The Office of Legislative Services (OLS) estimates that the State Agriculture Development Committee (SADC) may incur some additional costs to implement and administer a special permit process to allow the operation of rural microenterprises on certain preserved farms.
- Depending on the number of special permits issued for rural microenterprises, if any, additional revenue may be available to the committee for farmland preservation purposes.
- According to informal information provided by the SADC, no additional costs are expected to be incurred by the committee. The committee expects to use existing staff and resources to implement and administer the “New Jersey Rural Microenterprise Act.”
- The OLS notes that the bill requires that all application fees for special permits for rural microenterprises are to be utilized by the committee for farmland preservation purposes. Therefore, if any additional implementation and administrative costs are incurred by the committee, they would not be offset by the permit application fees collected.

BILL DESCRIPTION

Senate Bill No. 2620 (1R) of 2014, designated as the “New Jersey Rural Microenterprise Act,” would enhance the ability of certain owners of preserved farmland to expand the economic activity taking place on that land, subject to a number of conditions enumerated in the bill, in a manner that is consistent with the objectives of the State’s farmland preservation program. A “rural microenterprise” is defined in the bill as a small-scale business or activity that is fully compatible with agricultural use and production on the premises, does not, at any time, detract from, diminish, or interfere with the agricultural use of the premises, and is incidental to the agricultural use of the premises. Some examples of activities that could qualify as rural microenterprises under the bill are snow plowing, bed and breakfasts, bakeries, woodworking, craft-based businesses, agriculture support services, veterinary practices, seed suppliers, and tractor or equipment repair shops. The bill would further provide an opportunity and means to protect historically significant barns and other farm structures that contribute to the State’s rural landscape and history.

Existing law authorizes the SADC to issue a special permit to allow a commercial nonagricultural activity to occur on preserved farmland. The bill would amend this existing law in order to correct any past inequity in the farmland preservation program application process for those farm owners earlier in the program history who were unaware of, or were denied, the opportunity to take an exception, or to exclude any part of their farms from the application, at the time of preservation. Taking such an exception or exclusion would have enabled the farm owner to conduct nonagricultural activities on a portion of the farm. The bill would apply only to farms preserved before January 12, 2006.

The bill would authorize the committee to issue special permits to allow the operation of rural microenterprises on certain preserved farms. The application fee for a special permit would be \$250. A farm could have no more than one permit for one rural microenterprise at any one time. The bill requires all proceeds from the collection of application fees to be utilized by the committee for farmland preservation purposes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

According to informal information provided by the SADC, no additional costs are expected to be incurred by the committee. The committee expects to use existing staff and resources to implement and administer the “New Jersey Rural Microenterprise Act.”

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the SADC may incur some additional costs to implement and administer a special permit process to allow the operation of rural microenterprises on certain preserved farms. Depending on the number of special permits issued for rural microenterprises, if any, additional revenue may be available to the committee for farmland preservation purposes. The OLS notes that the bill requires that all application fees for special permits for rural microenterprises are to be utilized by the committee for farmland preservation purposes. Therefore, if any additional costs are incurred by the committee, they would not be offset by the permit application fees collected.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Matthew Peterson
Associate Counsel*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

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, Danielsén, 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 Huttle)** - 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 Huttle, 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 Huttie, 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 Huttie, 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 Huttie, 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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Press Contact:
Brian Murray
609-777-2600



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Office of the Governor
PO Box 001
Trenton, NJ 08625
609-292-6000