

52:32-1.6

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2004 **CHAPTER:** 4
NJSA: 52:32-1.6 (State purchase of "Jersey Fresh" and "Jersey Grown")
BILL NO: S594 (Substituted for A1596)

SPONSOR(S): Sweeney and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Appropriations

SENATE: Economic Growth

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** March 15, 2004

SENATE: February 23, 2004

DATE OF APPROVAL: April 7, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Senate Committee Substitute enacted)

S594

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A1596

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

Bill and Sponsors Statement identical to S594

COMMITTEE STATEMENT: **ASSEMBLY:** Yes [1-26-2004 \(State Govt.\)](#)
[3-4-2004 \(Approp.\)](#)

Identical to Assembly Appropriations Statement

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 2004, CHAPTER 4, *approved April 7, 2004*
Senate Committee Substitute for Senate, No. 594

1 AN ACT concerning the purchase of agricultural and horticultural
2 products and commodities and amending P.L.1999, c.32.

3

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

6

7 1. Section 1 of P.L.1999, c.32 (C.52:32-1.6) is amended to read
8 as follows:

9 1. a. The Director of the Division of Purchase and Property in the
10 Department of the Treasury shall, upon consultation with the
11 Department of Agriculture, review and modify all bid and product
12 specifications relating to the purchase of agricultural and horticultural
13 products and commodities, so that the specifications do not
14 discriminate against, but encourage , the maximum purchase of [New
15 Jersey] "Jersey Fresh," "Jersey Grown," and other agricultural food
16 products and commodities grown or raised in New Jersey. In
17 purchasing any agricultural or horticultural products or commodities
18 for use by the various agencies and departments of the State
19 government , for the entities defined in section 1 of P.L.1959, c.40
20 (C.52:27B-56.1), or for any county, municipality or school district
21 pursuant to P.L.1969, c.104 (C.52:25-16.1 et al.), the Director of the
22 Division of Purchase and Property, to the maximum extent possible,
23 shall make contracts available for [New Jersey] "Jersey Fresh,"
24 "Jersey Grown," and other agricultural food products and commodities
25 grown or raised in New Jersey, unless the director determines it to be
26 inconsistent with the public interest or the cost to be unreasonable.
27 The Department of Agriculture shall provide information regarding the
28 location and time of year [New Jersey] "Jersey Fresh," Jersey
29 Grown," and other agricultural food products and commodities grown
30 or raised in New Jersey are available to the Division of Purchase and
31 Property.

32 b. To the extent any agency or department of State government
33 purchases agricultural or horticultural products or commodities other
34 than through or by the Division of Purchase and Property, the agency
35 or department shall follow guidelines therefor to be developed and
36 issued by the Division of Purchase and Property in consultation with
37 the Department of Agriculture. These guidelines shall encourage and
38 promote to the maximum extent practicable the purchase of "Jersey
39 Fresh," Jersey Grown," and other agricultural food products and
40 commodities grown or raised in New Jersey.

41 (cf: P.L.1999, c.32, s.1)

42

43 2. This act shall take effect immediately.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1



2

3 Encourages State purchase of "Jersey Fresh," Jersey Grown," and
4 other NJ agricultural products and commodities.

SENATE, No. 594

STATE OF NEW JERSEY
211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

Senator LEONARD LANCE

District 23 (Warren and Hunterdon)

Co-Sponsored by:

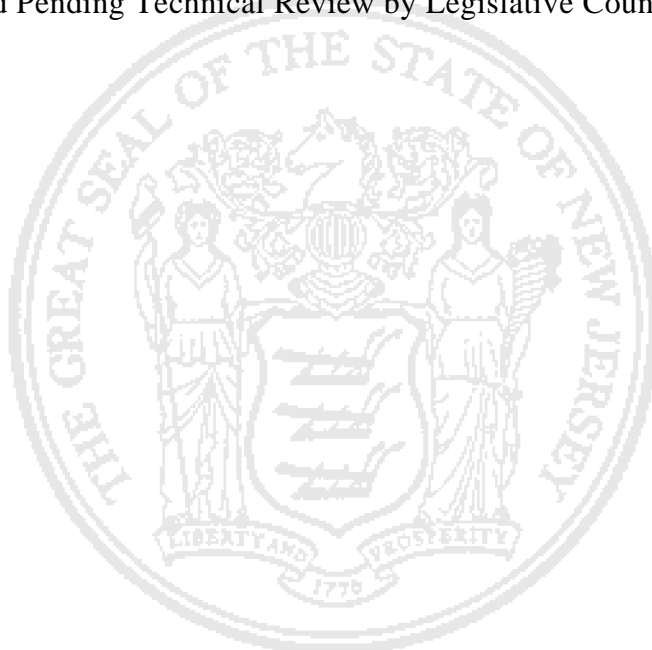
Senator Littell

SYNOPSIS

Requires State to purchase "Jersey Fresh" farm products.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/10/2004)

1 AN ACT requiring the State to purchase "Jersey Fresh" farm products
2 and supplementing chapter 34 of Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Notwithstanding the provisions of any other law to the contrary,
8 and unless the head of the department, or other public officer charged
9 with the duty by law, shall determine it to be inconsistent with the
10 public interest, or the cost to be unreasonable, a contract for the
11 purchase of fresh farm products to be paid with or out of State funds
12 shall be awarded to the lowest responsible bidder offering "Jersey
13 Fresh" products.

14
15 2. This act shall take effect immediately.

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STATEMENT

19

20 This bill requires the State to award any contract for the purchase
21 of fresh farm products to the lowest responsible bidder offering
22 "Jersey Fresh" products. "Jersey Fresh" is an advertising and
23 promotional program developed by the New Jersey Department of
24 Agriculture in 1983 to draw consumer attention to the availability of
25 New Jersey farm products. Growers who register with the
26 department's quality grading program are allowed to use the "Jersey
27 Fresh" logo on their packages. The logo indicates that the contents
28 have been inspected and meet standards equal to, or better than, U.S.
29 No. 1. The program covers virtually all products raised on Garden
30 State farms, including fruits, berries, vegetables, herbs, dairy products,
31 eggs, and greenhouse products. Requiring the State to purchase
32 "Jersey Fresh" products would help to ensure the continuation of New
33 Jersey agriculture and the preservation of open space.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 594

STATE OF NEW JERSEY

DATED: MARCH 4, 2004

The Assembly Appropriations Committee reports favorably Senate Bill No. 594 (SCS).

Senate Bill No. 594 (SCS) expands current law which generally encourages and promotes the purchase of New Jersey agricultural commodities through or by the Division of Purchase and Property.

The current law (1) requires the division, in consultation with the Department of Agriculture, to review and modify all bid and product specifications relating to the purchase of agricultural commodities, so that the specifications do not discriminate against, but encourage, the maximum purchase of New Jersey agricultural commodities, (2) directs the division, to the maximum extent possible, to make contracts available for New Jersey agricultural commodities when purchasing any agricultural commodities for use by the various State agencies and departments or for any county, municipality or school district, and (3) directs the Department of Agriculture to provide information to the division regarding the location and time of year New Jersey agricultural commodities are available.

This legislation expands the purview of the law by (1) specifically mentioning "Jersey Fresh," "Jersey Grown," and other agricultural food products and commodities grown or raised in New Jersey, (2) including certain other prospective purchases of these products made through or by the division jointly with various State or bi-state authorities and commissions, and (3) including prospective purchases of these products by State agencies and departments that may occur without direct involvement of the Division of Purchase and Property.

"Jersey Fresh" is an advertising and promotional program developed by the New Jersey Department of Agriculture in 1983 to draw consumer attention to the availability of New Jersey farm products. Growers who register with the department's quality grading program are allowed to use the "Jersey Fresh" logo on their packages. The logo indicates that the contents have been inspected and meet standards equal to, or better than, U.S. No. 1 or U.S. Grade A. The program covers virtually all products raised on Garden State farms, including fruits, berries, vegetables, herbs, dairy products, eggs, and greenhouse products. However, there also may be times when a State

governmental entity has the opportunity to purchase New Jersey produced agricultural food products that are over-produced or under-valued. These products are wholesome and nutritious, but may not meet the high standards required to utilize the "Jersey Fresh" label.

Another component of the "Jersey Fresh" program is the "Jersey Grown" logo, which has been developed for nursery plants. Any producer utilizing the "Jersey Grown" label complies with common techniques for measuring plants, specifying and stating the size of plants, determining the proper relationship between height and caliper, and determining proper root ball size.

Encouraging the State government to purchase New Jersey produced agricultural and horticultural products will help to ensure the continuation of New Jersey agriculture and the preservation of open space.

This bill is identical to A-1596 as substituted by the committee.

FISCAL IMPACT:

This legislation was not certified as requiring a fiscal note.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 594**

STATE OF NEW JERSEY

DATED: FEBRUARY 5, 2004

The Senate Economic Growth Committee reports favorably a Senate Committee Substitute for Senate Bill No. 594.

This committee substitute expands current law which generally encourages and promotes the purchase of New Jersey agricultural commodities through or by the Division of Purchase and Property.

The current law (1) requires the division, in consultation with the Department of Agriculture, to review and modify all bid and product specifications relating to the purchase of agricultural commodities, so that the specifications do not discriminate against, but encourage, the maximum purchase of New Jersey agricultural commodities, (2) directs the division, to the maximum extent possible, to make contracts available for New Jersey agricultural commodities when purchasing any agricultural commodities for use by the various State agencies and departments or for any county, municipality or school district, and (3) directs the Department of Agriculture to provide information to the division regarding the location and time of year New Jersey agricultural commodities are available.

The committee substitute expands the purview of the law by (1) specifically mentioning "Jersey Fresh," "Jersey Grown," and other agricultural food products and commodities grown or raised in New Jersey, (2) including certain other prospective purchases of these products made through or by the division jointly with various State or bi-state authorities and commissions, and (3) including prospective purchases of these products by State agencies and departments that may occur without direct involvement of the Division of Purchase and Property.

"Jersey Fresh" is an advertising and promotional program developed by the New Jersey Department of Agriculture in 1983 to draw consumer attention to the availability of New Jersey farm products. Growers who register with the department's quality grading program are allowed to use the "Jersey Fresh" logo on their packages. The logo indicates that the contents have been inspected and meet standards equal to, or better than, U.S. No. 1 or U.S. Grade A. The program covers virtually all products raised on Garden State farms, including fruits, berries, vegetables, herbs, dairy products, eggs, and

greenhouse products. However, there also may be times when a State governmental entity has the opportunity to purchase New Jersey produced agricultural food products that are over-produced or under-valued. These products are wholesome and nutritious, but may not meet the high standards required to utilize the "Jersey Fresh" label.

Another component of the "Jersey Fresh" program is the "Jersey Grown" logo, which has been developed for nursery plants. Any producer utilizing the "Jersey Grown" label complies with common techniques for measuring plants, specifying and stating the size of plants, determining the proper relationship between height and caliper, and determining proper root ball size.

Encouraging the State government to purchase New Jersey produced agricultural and horticultural products will help to ensure the continuation of New Jersey agriculture and the preservation of open space.

ASSEMBLY, No. 1596

STATE OF NEW JERSEY

211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Requires State to purchase "Jersey Fresh" farm products.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT requiring the State to purchase "Jersey Fresh" farm products
2 and supplementing chapter 34 of Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Notwithstanding the provisions of any other law to the contrary,
8 and unless the head of the department, or other public officer charged
9 with the duty by law, shall determine it to be inconsistent with the
10 public interest, or the cost to be unreasonable, a contract for the
11 purchase of fresh farm products to be paid with or out of State funds
12 shall be awarded to the lowest responsible bidder offering "Jersey
13 Fresh" products.

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15 2. This act shall take effect immediately.

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18 STATEMENT

19
20 This bill requires the State to award any contract for the purchase
21 of fresh farm products to the lowest responsible bidder offering
22 "Jersey Fresh" products. "Jersey Fresh" is an advertising and
23 promotional program developed by the New Jersey Department of
24 Agriculture in 1983 to draw consumer attention to the availability of
25 New Jersey farm products. Growers who register with the
26 department's quality grading program are allowed to use the "Jersey
27 Fresh" logo on their packages. The logo indicates that the contents
28 have been inspected and meet standards equal to, or better than, U.S.
29 No. 1. The program covers virtually all products raised on Garden
30 State farms, including fruits, berries, vegetables, herbs, dairy products,
31 eggs, and greenhouse products. Requiring the State to purchase
32 "Jersey Fresh" products would help to ensure the continuation of New
33 Jersey agriculture and the preservation of open space.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1596

STATE OF NEW JERSEY

DATED: JANUARY 26, 2004

The Assembly State Government Committee reports favorably Assembly, No. 1596.

This bill requires the State to award any contract for the purchase of fresh farm products to the lowest responsible bidder offering "Jersey Fresh" products. "Jersey Fresh" is an advertising and promotional program developed by the New Jersey Department of Agriculture in 1983 to draw consumer attention to the availability of New Jersey farm products. Growers who register with the department's quality grading program are allowed to use the "Jersey Fresh" logo on their packages. The logo indicates that the contents have been inspected and meet standards equal to, or better than, U.S.D.A. No.1. The program covers virtually all products raised on Garden State farms, including fruits, berries, vegetables, herbs, dairy products, eggs, and greenhouse products.

This bill was pre-filed for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 1596**

STATE OF NEW JERSEY

DATED: MARCH 4, 2004

The Assembly Appropriations Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1596.

This Assembly Committee Substitute for Assembly No. 1596 expands current law which generally encourages and promotes the purchase of New Jersey agricultural commodities through or by the Division of Purchase and Property.

The current law (1) requires the division, in consultation with the Department of Agriculture, to review and modify all bid and product specifications relating to the purchase of agricultural commodities, so that the specifications do not discriminate against, but encourage, the maximum purchase of New Jersey agricultural commodities, (2) directs the division, to the maximum extent possible, to make contracts available for New Jersey agricultural commodities when purchasing any agricultural commodities for use by the various State agencies and departments or for any county, municipality or school district, and (3) directs the Department of Agriculture to provide information to the division regarding the location and time of year New Jersey agricultural commodities are available.

The committee substitute expands the purview of the law by (1) specifically mentioning "Jersey Fresh," "Jersey Grown," and other agricultural food products and commodities grown or raised in New Jersey, (2) including certain other prospective purchases of these products made through or by the division jointly with various State or bi-state authorities and commissions, and (3) including prospective purchases of these products by State agencies and departments that may occur without direct involvement of the Division of Purchase and Property.

"Jersey Fresh" is an advertising and promotional program developed by the New Jersey Department of Agriculture in 1983 to draw consumer attention to the availability of New Jersey farm products. Growers who register with the department's quality grading program are allowed to use the "Jersey Fresh" logo on their packages. The logo indicates that the contents have been inspected and meet standards equal to, or better than, U.S. No. 1 or U.S. Grade A. The program covers virtually all products raised on Garden State farms,

including fruits, berries, vegetables, herbs, dairy products, eggs, and greenhouse products. However, there also may be times when a State governmental entity has the opportunity to purchase New Jersey produced agricultural food products that are over-produced or under-valued. These products are wholesome and nutritious, but may not meet the high standards required to utilize the "Jersey Fresh" label.

Another component of the "Jersey Fresh" program is the "Jersey Grown" logo, which has been developed for nursery plants. Any producer utilizing the "Jersey Grown" label complies with common techniques for measuring plants, specifying and stating the size of plants, determining the proper relationship between height and caliper, and determining proper root ball size.

Encouraging the State government to purchase New Jersey produced agricultural and horticultural products will help to ensure the continuation of New Jersey agriculture and the preservation of open space.

As substituted, this legislation is identical to S-594 (SCS) of 2004.

FISCAL IMPACT:

This legislation was not certified as requiring a fiscal note.