

4:10-25.10
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2021 **CHAPTER:** 331

NJSA: 4:10-25.10 (Establishes "Jersey Native Plants Program.")

BILL NO: S83 (Substituted for A1580)

SPONSOR(S) Bateman, Christopher and others

DATE INTRODUCED: 1/14/2020

COMMITTEE: **ASSEMBLY:** Agriculture

SENATE: Environment & Energy

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 12/20/2021

SENATE: 3/25/2021

DATE OF APPROVAL: 1/10/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

S83

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

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

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

A1580

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: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/JA

Title 4
Chapter 10
Article 2
(Rename)
Promotion of
Sales of
New Jersey
Products
§1
C.4:10-25.10

P.L. 2021, CHAPTER 331, *approved January 1, 2022*
Senate, No. 83

1 AN ACT establishing the “Jersey Native Plants Program” and
2 supplementing Title 4 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. a. The Secretary of Agriculture, in conjunction with the
8 State Board of Agriculture, shall develop and implement a “Jersey
9 Native Plants Program” to encourage and promote the sale of New
10 Jersey native plants at retail garden centers and nurseries. The
11 program shall increase consumer awareness of the important role of
12 native plants in the ecosystem through advertising campaigns and
13 marketing programs, provide for the dissemination of information
14 about the variety and availability of New Jersey native plants, and
15 create a labeling program to identify native plants as “Jersey Natives”
16 for sale similar to the Jersey Fresh and Jersey Grown programs.

17 b. The Department of Agriculture shall adopt, pursuant to the
18 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.),
19 rules and regulations to implement this act.

20

21 2. This act shall take effect immediately.

22

23

24

25

26 Establishes “Jersey Native Plants Program.”

CHAPTER 331

AN ACT establishing the “Jersey Native Plants Program” and supplementing Title 4 of the Revised Statutes.

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

C.4:10-25.10 “Jersey Native Plants Program”, established.

1. a. The Secretary of Agriculture, in conjunction with the State Board of Agriculture, shall develop and implement a “Jersey Native Plants Program” to encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries. The program shall increase consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs, provide for the dissemination of information about the variety and availability of New Jersey native plants, and create a labeling program to identify native plants as “Jersey Natives” for sale similar to the Jersey Fresh and Jersey Grown programs.

b. The Department of Agriculture shall adopt, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement this act.

2. This act shall take effect immediately.

Approved January 1, 2022.

SENATE, No. 83

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Co-Sponsored by:

Senators Corrado and Greenstein

SYNOPSIS

Establishes "Jersey Native Plants Program."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing the “Jersey Native Plants Program” and
2 supplementing Title 4 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. a. The Secretary of Agriculture in conjunction with the State
8 Board of Agriculture shall develop and implement a “Jersey Native
9 Plants Program” to encourage and promote the sale of New Jersey
10 native plants at retail garden centers and nurseries. The program shall
11 increase consumer awareness of the important role of native plants in
12 the ecosystem through advertising campaigns and marketing
13 programs, provide for the dissemination of information about the
14 variety and availability of New Jersey native plants, and create a
15 labeling program to identify native plants as “Jersey Natives” for sale
16 similar to the Jersey Fresh and Jersey Grown programs.

17 b. The Department of Agriculture shall adopt, pursuant to the
18 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.),
19 rules and regulations to implement this act.

20

21 2. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill would establish the “Jersey Native Plants Program” in
27 the Department of Agriculture. The bill requires the department to
28 develop a program that would: (1) encourage and promote the sale of
29 New Jersey native plants at retail garden centers and nurseries; (2)
30 increase consumer awareness of the important role of native plants in
31 the ecosystem through advertising campaigns and marketing
32 programs; (3) provide for the dissemination of information about the
33 variety and availability of New Jersey native plants; and (4) create a
34 labeling program to identify native plants as “Jersey natives” similar
35 to the Jersey Fresh and Jersey Grown programs.

36 Native plant species are a vital part of New Jersey’s heritage,
37 providing valuable aesthetic, economic, and ecological benefits to
38 State residents. New Jersey possesses approximately 2,100 native
39 plant species, a number that is comparable to states that are three to
40 four times larger. This diverse native flora includes hundreds of
41 different wildflowers, like violets and orchids, as well as many
42 different trees, shrubs, grasses, and ferns. Nineteen globally rare
43 plants have their largest or most viable populations in New Jersey,
44 and nine plants have been documented only in New Jersey and do
45 not occur anywhere else on Earth.

46 New Jersey’s floristic diversity is due in large part to its
47 geographical diversity, which includes the mountainous Highlands
48 in the north, the sandy Pine Barrens in the south, the rich Delaware

1 River Valley in the west, and the salt marshes of the Atlantic Coast.
2 Native fruits like the blueberry and the cranberry helped spur the
3 development of the agricultural industry in New Jersey, and earned
4 the State its official State slogan, the “Garden State.” New Jersey’s
5 preserved open space and farmland, which make up close to a third
6 of the State’s total acreage and contain most of the State’s native
7 plant species, provide an estimated \$20 billion per year in
8 ecosystem goods and services.

9 Native plants are vital to the State’s biodiversity, which provide
10 inhabitants with food, maintenance of water and air quality, waste
11 decomposition and soil generation, nutrient cycling, climate
12 stabilization, flood and erosion control, and medicines and
13 pharmaceuticals. Native plants also provide food and shelter for
14 native wildlife and insects, which in turn, perform essential
15 ecological and agricultural services such as seed dispersal,
16 predation, and pollination.

17 Studies have shown that New Jersey is rapidly losing its native
18 plants, with roughly one-third of those plants designated as
19 endangered or of special concern by the State’s Natural Heritage
20 Program. Threats to native plants include habitat destruction
21 caused by development and urbanization, pollution, and harmful
22 invasive plant species.

ASSEMBLY AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 83

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Agriculture Committee reports favorably Senate Bill No. 83.

This bill would establish the “Jersey Native Plants Program” in the Department of Agriculture. The bill would require the department to develop a program that would: (1) encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries; (2) increase consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs; (3) provide for the dissemination of information about the variety and availability of New Jersey native plants; and (4) create a labeling program to identify native plants as “Jersey natives” similar to the Jersey Fresh and Jersey Grown programs.

As reported by the committee, this bill is identical to Assembly Bill No. 1580 as also reported by the committee.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 83

STATE OF NEW JERSEY

DATED: JANUARY 21, 2021

The Senate Environment and Energy Committee favorably reports Senate Bill No. 83.

This bill would establish the “Jersey Native Plants Program” in the Department of Agriculture. The bill would require the department to develop a program that would: (1) encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries; (2) increase consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs; (3) provide for the dissemination of information about the variety and availability of New Jersey native plants; and (4) create a labeling program to identify native plants as “Jersey natives” similar to the Jersey Fresh and Jersey Grown programs.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 83
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: MARCH 26, 2021

SUMMARY

Synopsis: Establishes "Jersey Native Plants Program."
Type of Impact: Annual State expenditure increase from the General Fund
Agencies Affected: Department of Agriculture

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Expenditure Increase		Indeterminate	

- The Office of Legislative Services (OLS) estimates that this bill would result in a marginal annual expenditure increase from the State General Fund. The bill requires the Department of Agriculture (DOA) to develop and administer a new program to promote the sale of plants that are native to New Jersey and increase consumer awareness about native plants. It is likely that this additional workload can be subsumed within existing staff duties.
- The OLS notes that the DOA already administers a similar program, known as the "Jersey Grown" program, which promotes the sale of plants grown in the State. This will likely mitigate the expenditure increase. The Fiscal Year 2021 appropriation for the entire Jersey Fresh program, of which the Jersey Grown program is a subset, was \$100,000.

BILL DESCRIPTION

This bill would establish the Jersey Native Plants Program in the DOA. The bill would require the department to develop a program that would: (1) encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries; (2) increase consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs; (3) provide for the dissemination of information about the variety and availability of New Jersey native plants; and (4) create a labeling program to identify native plants as Jersey natives similar to the Jersey Fresh and Jersey Grown programs.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill would result in a marginal annual expenditure increase from the State General Fund. The bill requires the DOA to develop and administer a new program to promote the sale of plants that are native to New Jersey and increase consumer awareness about native plants. It is likely that this additional workload can be subsumed within existing staff duties.

The OLS notes that the DOA already administers a similar program, known as the Jersey Grown program, which promotes the sale of plants grown in the State. This will likely mitigate the expenditure increase. The Fiscal Year 2021 appropriation for the entire Jersey Fresh program, of which the Jersey Grown program is a subset, was \$100,000.

Section: Environment, Agriculture, Energy, and Natural Resources

*Analyst: Eric Hansen
Associate Research Analyst*

*Approved: Thomas Koenig
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.).

ASSEMBLY, No. 1580

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Co-Sponsored by:

Assemblyman Space

SYNOPSIS

Establishes “Jersey Native Plants Program.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing the “Jersey Native Plants Program” and
2 supplementing Title 4 of the Revised Statutes.

3

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5 of New Jersey:

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13 marketing programs, provide for the dissemination of information
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15 create a labeling program to identify native plants as “Jersey
16 Natives” for sale similar to the Jersey Fresh and Jersey Grown
17 programs.

18 b. The Department of Agriculture shall adopt, pursuant to the
19 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
20 seq.), rules and regulations to implement this act.

21

22 2. This act shall take effect immediately.

23

24

25

STATEMENT

26

27 This bill would establish the “Jersey Native Plants Program” in
28 the Department of Agriculture. The bill, as amended, requires the
29 department, in conjunction with the State Board of Agriculture, to
30 develop a program that would: (1) encourage and promote the sale
31 of New Jersey native plants at retail garden centers and nurseries;
32 (2) increase consumer awareness of the important role of native
33 plants in the ecosystem through advertising campaigns and
34 marketing programs; (3) provide for the dissemination of
35 information about the variety and availability of New Jersey native
36 plants; and (4) create a labeling program to identify native plants as
37 “Jersey natives” similar to the Jersey Fresh and Jersey Grown
38 programs.

ASSEMBLY AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1580

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Agriculture Committee reports favorably Assembly Bill No. 1580.

This bill would establish the “Jersey Native Plants Program” in the Department of Agriculture. The bill would require the department to develop a program that would: (1) encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries; (2) increase consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs; (3) provide for the dissemination of information about the variety and availability of New Jersey native plants; and (4) create a labeling program to identify native plants as “Jersey natives” similar to the Jersey Fresh and Jersey Grown programs.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As reported by the committee, this bill is identical to Senate Bill No. 83 as also reported by the committee.

LEGISLATIVE FISCAL ESTIMATE
ASSMEBLY, No. 1580
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: DECEMBER 2, 2021

SUMMARY

Synopsis: Establishes "Jersey Native Plants Program."

Type of Impact: Annual State expenditure increase from the General Fund

Agencies Affected: Department of Agriculture

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Expenditure Increase		Indeterminate	

- The Office of Legislative Services (OLS) estimates that this bill would result in a marginal annual expenditure increase from the State General Fund. The bill requires the Department of Agriculture (DOA) to develop and administer a new program to promote the sale of plants that are native to New Jersey and increase consumer awareness about native plants. It is likely that this additional workload can be subsumed within existing staff duties.
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FISCAL ANALYSIS

EXECUTIVE BRANCH

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OFFICE OF LEGISLATIVE SERVICES

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Section: Environment, Agriculture, Energy, and Natural Resources

*Analyst: Eric Hansen
Associate Research Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

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