

SENATE, No. 4052

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 27, 2023

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Vitale and Zwicker

SYNOPSIS

Appropriates \$9,184,427 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes, and for certain administrative expenses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2023)

1 AN ACT appropriating \$9,184,427 from constitutionally dedicated
2 corporation business tax revenues to provide grants to assist
3 qualifying tax exempt nonprofit organizations to acquire or
4 develop lands for recreation and conservation purposes, and for
5 certain administrative expenses.

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

9
10 1. a. For the purposes of this section:

11 “Garden State Green Acres Preservation Trust Fund” means the
12 fund established pursuant to section 19 of P.L.1999, c.152
13 (C.13:8C-19).

14 “Green Acres bond act” means P.L.2009, c.117, P.L.2007, c.119,
15 P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265,
16 and P.L.1983, c.354.

17 “Preserve New Jersey Green Acres Fund” means the fund
18 established pursuant to section 6 of the “Preserve New Jersey Act,”
19 P.L.2016, c.12 (C.13:8C-48).

20 “Stewardship activity” means the same as the term is defined in
21 section 3 of the “Preserve New Jersey Act,” P.L.2016, c.12
22 (C.13:8C-45).

23 b. There is appropriated to the Department of Environmental
24 Protection the sum of \$8,747,073 from the dedicated corporation
25 business tax revenues pursuant to Article VIII, Section II, paragraph
26 6 of the State Constitution in the “Preserve New Jersey Green Acres
27 Fund,” established pursuant to section 6 of the “Preserve New
28 Jersey Act,” P.L.2016, c.12 (C.13:8C-48), for the purpose of
29 providing grants to assist qualifying tax exempt nonprofit
30 organizations to acquire lands for recreation and conservation
31 purposes pursuant to subsection c. of this section, to develop lands
32 for recreation and conservation purposes pursuant to subsection d.
33 of this section, and to undertake stewardship activities pursuant to
34 subsection e. of this section.

35 c. The following projects for the acquisition of lands for
36 recreation and conservation purposes are eligible for funding with
37 the moneys appropriated pursuant to subsection b. of this section:

38

| Nonprofit Organization | Project | County | Municipality | Approved Amount |
|-------------------------------|--------------|------------|---|-----------------|
| (1) D & R Greenway Land Trust | Greenway Acq | Burlington | Beverly City Bordentown City Bordentown Twp Burlington City Burlington Twp Chesterfield Twp Cinnaminson Twp Delanco Twp Delran Twp Edgewater Park Twp Fieldsboro Boro Florence Twp Hainesport Twp | \$1,000,000 |

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| | | | | |
|---|--|------------|--|-----------|
| | | | Mansfield Twp | |
| | | | Maple Shade Twp | |
| | | | Moorestown Twp | |
| | | | Mount Holly Twp | |
| | | | Mount Laurel Twp | |
| | | | Palmyra Boro | |
| | | | Riverside Twp | |
| | | | Riverton Boro | |
| | | | Springfield Twp | |
| | | | Westampton Twp | |
| | | | Willingboro Twp | |
| | | Camden | Audubon Boro | |
| | | | Audubon Park Boro | |
| | | | Brooklawn Boro | |
| | | | Camden City | |
| | | | Cherry Hill Twp | |
| | | | Collingswood Boro | |
| | | | Gloucester City | |
| | | | Haddon Heights Boro | |
| | | | Haddon Twp | |
| | | | Haddonfield Boro | |
| | | | Merchantville Boro | |
| | | | Mount Ephraim Boro | |
| | | | Oaklyn Boro | |
| | | | Pennsauken Twp | |
| | | | Woodlynne Boro | |
| | | Cumberland | Deerfield Twp | |
| | | | Fairfield Twp | |
| | | | Greenwich Twp | |
| | | | Hopewell Twp | |
| | | | Stow Creek Twp | |
| | | | Upper Deerfield Twp | |
| | | Gloucester | National Park Boro | |
| | | | West Deptford Twp | |
| | | | Westville Boro | |
| | | Hunterdon | All municipalities | |
| | | Mercer | All municipalities | |
| | | Middlesex | All municipalities | |
| | | Monmouth | All municipalities | |
| | | Morris | All municipalities | |
| | | Salem | Elsinboro Twp | |
| | | | Lower Alloways Creek Twp | |
| | | | Mannington Twp | |
| | | | Pennsville Twp | |
| | | Somerset | All municipalities | |
| (2) Friends of Hopewell Valley Open Space | Hopewell Valley Park Acq | Mercer | Hopewell Boro Hopewell Twp Pennington Boro | 174,915 |
| (3) Friends of Princeton Open Space | Millstone River Watershed | Mercer | Princeton Boro | 250,000 |
| (4) Hunterdon Land Trust | Hunterdon Open Space Plan Priority Areas | Hunterdon | All municipalities | 500,000 |
| (5) New Jersey Conservation Foundation | Priority Area Acq | Atlantic | Buena Vista Twp Egg Harbor City Egg Harbor Twp | 1,000,000 |

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| | Estell Manor City |
| | Folsom Boro |
| | Galloway Twp |
| | Hamilton Twp |
| | Hammonton Town |
| | Mullica Twp |
| | Weymouth Twp |
| Burlington | Bass River Twp |
| | Beverly City |
| | Bordentown City |
| | Bordentown Twp |
| | Burlington City |
| | Burlington Twp |
| | Chesterfield Twp |
| | Cinnaminson Twp |
| | Delanco Twp |
| | Delran Twp |
| | Evesham Twp |
| | Fieldsboro Boro |
| | Florence Twp |
| | Mansfield Twp |
| | Medford Twp |
| | New Hanover Twp |
| | North Hanover Twp |
| | Pemberton Twp |
| | Shamong Twp |
| | Southampton Twp |
| | Springfield Twp |
| | Tabernacle Twp |
| | Washington Twp |
| Camden | Camden City |
| | Merchantville Boro |
| | Pennsauken Twp |
| Cape May | Lower Twp |
| | Middle Twp |
| Cumberland | Fairfield Twp |
| | Greenwich Twp |
| | Hopewell Twp |
| | Maurice River Twp |
| | Millville City |
| | Stow Creek Twp |
| | Upper Deerfield Twp |
| | Vineland City |
| Gloucester | Franklin Twp |
| | Logan Twp |
| | South Harrison Twp |
| | Woolwich Twp |
| Hunterdon | All municipalities |
| Mercer | East Windsor Twp |
| | Ewing Twp |
| | Hamilton Twp |
| | Hightstown Boro |
| | Hopewell Twp |
| | Lawrence Twp |
| | Trenton City |
| | Princeton Boro |
| | Robbinsville Twp |
| | West Windsor Twp |
| Middlesex | Cranberry Twp |
| | Edison Twp |
| Monmouth | Allentown Boro |
| | Millstone Twp |
| | Upper Freehold Twp |

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|------------------------------|---------------------------------|----------|--|---------|
| | | Morris | All municipalities | |
| | | Ocean | Lacey Twp Ocean Twp Plumsted Twp | |
| | | Passaic | West Milford Twp | |
| | | Salem | Alloway Twp Carneys Point Twp Elmer Boro Elsinboro Twp Lower Alloways Creek Twp Mannington Twp Oldmans Twp Pennsville Twp Pilesgrove Twp Pittsgrove Twp Quinton Twp Upper Pittsgrove Twp Woodstown Boro | |
| | | Somerset | Bedminster Twp Bernards Twp Bernardsville Boro Branchburg Twp Bridgewater Twp Far Hills Boro Hillsborough Twp Montgomery Twp Peapack-Gladstone Boro Raritan Boro | |
| | | Sussex | Andover Twp Byram Twp Frankford Twp Green Twp Hampton Twp Hopatcong Boro Sparta Twp Vernon Twp Wantage Twp | |
| | | Union | Elizabeth City Linden City Springfield Twp Union Twp | |
| | | Warren | Blairstown Twp Franklin Twp Frelinghuysen Twp Greenwich Twp Hardwick Twp Harmony Twp Lopatcong Twp Mansfield Twp Pohatcong Twp Washington Twp White Twp | |
| (6) Ridgeview Conservancy | Ridgeview Conservancy Acq | Mercer | Hopewell Boro Hopewell Twp Princeton Boro | 250,000 |
| | | Somerset | Montgomery Twp | |
| (7) Sourland Conservancy | True Farmstead Acq | Somerset | Montgomery Twp | 285,000 |

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| (8) Stoutsburg Sourland African American Museum | True Farmstead Acq | Somerset | Montgomery Twp | 285,000 |
| (9) The Nature Conservancy | Priority Area Acq | Atlantic | Estell Manor City Galloway Twp Hamilton Twp Mullica Twp | 500,000 |
| | | Burlington | Bass River Twp Pemberton Boro Pemberton Twp Washington Twp Woodland Twp | |
| | | Cape May | Cape May City Cape May Point Boro Dennis Twp Lower Twp Middle Twp West Cape May Boro | |
| | | Cumberland | Commercial Twp Downe Twp Fairfield Twp Lawrence Twp Maurice River Twp Millville City Vineland City | |
| | | Gloucester | Franklin Twp | |
| | | Ocean | Barnegat Twp Eagleswood Twp Lacey Twp Little Egg Harbor Twp Ocean Twp Stafford Twp | |
| | | Passaic | North Haledon Boro Wayne Twp | |
| | | Salem | Pittsgrove Twp | |
| | | Sussex | Andover Boro Andover Twp Frankford Twp Fredon Twp Green Twp Hampton Twp Hardyston Twp Lafayette Twp Montague Twp Newton Town Sandyston Twp Stillwater Twp Walpack Twp Wantage Twp | |
| | | Warren | Allamuchy Twp Blairstown Twp Frelinghuysen Twp Hardwick Twp Hope Twp Knowlton Twp | |

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|------------------------------------|-------------------------|--------|--|---------|
| (10) The Watershed Institute | Watershed Connectors | Mercer | Hopewell Boro Hopewell Twp Pennington Boro Princeton Boro | 140,000 |
|------------------------------------|-------------------------|--------|--|---------|

TOTAL **\$4,384,915**

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d. The following projects for the development of lands for recreation and conservation purposes are eligible for funding with the moneys appropriated pursuant to subsection b. of this section:

| Nonprofit Organization | Project | County | Municipality | Approved Amount |
|---|---|---------------|---------------------|----------------------------|
| Branch Brook Park Alliance | Branch Brook Park Improvements | Essex | Newark City | \$500,000 |
| Camp Dill Foundation | Camp Dill Improvements | Hunterdon | Clinton Twp | 100,000 |
| Deal Lake Watershed Alliance | Deal Lake Wickapecko Park Phase II | Monmouth | Ocean Twp | 41,658 |
| Essex County Parks Foundation | Turtle Back Zoo Australian Exhibit & Playground | Essex | West Orange Twp | 500,000 |
| Flat Rock Brook Nature Association | Jones Road Streamside Restoration Project Phase 2 & 3 | Bergen | Englewood City | 500,000 |
| NJ Community Development Corp | Westside Park Improvements | Passaic | Paterson City | 500,000 |
| Open Space Institute Land Trust, Inc. | Westside Park Improvements | Passaic | Paterson City | 500,000 |
| Trust for Public Land | Multi Park Improvements | Essex | Newark City | 500,000 |
| Zoological Society of NJ | Turtle Back Zoo Australian Exhibit & Playground | Essex | West Orange Twp | 500,000 |
| TOTAL | | | | \$3,641,658 |

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e. The following stewardship activity projects are eligible for funding with the moneys appropriated pursuant to subsection b. of this section:

| Nonprofit Organization | Project | County | Municipality | Approved Amount |
|---------------------------------------|---|---------------|---------------------|----------------------------|
| Friends of Princeton Open Space | Mountain Lakes Preserve Riparian Restoration | Mercer | Princeton Boro | \$124,500 |

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|--|--|--------|---------------|------------------|
| Tenaflly Nature Center Association | Pfister's Pond Restoration Project | Bergen | Tenaflly Boro | 121,000 |
| The Watershed Institute | Wargo Pond Restoration | Mercer | Hopewell Twp | 475,000 |
| TOTAL | | | | \$720,500 |

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2 f. Any transfer of any funds, or change in project sponsor, site,
3 or type, listed in subsection c., d., or e. of this section shall require
4 the approval of the Joint Budget Oversight Committee or its
5 successor.

6 g. To the extent that moneys remain available after the projects
7 listed in subsection c., d., or e. of this section are offered funding
8 pursuant thereto, any project of a qualifying tax exempt nonprofit
9 organization that previously received funding appropriated or
10 reappropriated from any Green Acres bond act, any annual
11 appropriations act, or the Garden State Green Acres Preservation
12 Trust Fund for recreation and conservation purposes shall be
13 eligible to receive additional funding, as determined by the
14 Department of Environmental Protection, subject to the approval of
15 the Joint Budget Oversight Committee or its successor.

16 h. There is reappropriated to the Department of Environmental
17 Protection the unexpended balances, due to project withdrawals,
18 cancellations, or cost savings, of the amounts appropriated or
19 reappropriated from any Green Acres bond act, any annual
20 appropriations act, or the Garden State Green Acres Preservation
21 Trust Fund to assist qualifying tax exempt nonprofit organizations
22 to acquire or develop lands for recreation and conservation
23 purposes, for the purposes of: (1) this section; and (2) providing
24 additional funding, as determined by the Department of
25 Environmental Protection, to any project of a qualifying tax exempt
26 nonprofit organization that previously received funding
27 appropriated or reappropriated from any Green Acres bond act, any
28 annual appropriations act, or the Garden State Green Acres
29 Preservation Trust Fund for recreation and conservation purposes,
30 subject to the approval of the Joint Budget Oversight Committee or
31 its successor. Any such additional funding provided from a Green
32 Acres bond act may include administrative costs.

33
34 2. There is appropriated to the Department of Environmental
35 Protection the sum of \$437,354 from dedicated corporation business
36 tax revenues pursuant to Article VIII, Section II, paragraph 6 of the
37 State Constitution in the "Preserve New Jersey Green Acres Fund,"
38 established pursuant to section 6 of the "Preserve New Jersey Act,"
39 P.L.2016, c.12 (C.13:8C-48), for paying administrative costs
40 associated with administering the applicable provisions of
41 P.L.2016, c.12 (C.13:8C-43 et seq.).

1 3. There is appropriated from the General Fund to the
2 “Preserve New Jersey Green Acres Fund,” established pursuant to
3 section 6 of the “Preserve New Jersey Act,” P.L.2016, c.12
4 (C.13:8C-48), the sum of \$9,184,427 to implement the provisions of
5 this act.

6
7 4. This act shall take effect immediately.
8
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10 STATEMENT
11

12 The bill appropriates \$9,184,427 to the Department of
13 Environmental Protection (DEP), of which \$8,747,073 is to provide
14 grants to various nonprofit entities to acquire or develop lands for
15 recreation and conservation purposes, and \$437,354 is to be used by
16 the DEP for associated administrative costs.

17 The funding in this bill is provided from constitutionally
18 dedicated corporation business tax (CBT) revenues pursuant to
19 Article VIII, Section II, paragraph 6 of the State Constitution. The
20 “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.),
21 implements the constitutional dedication of CBT revenues for open
22 space, farmland, and historic preservation. The “Preserve New
23 Jersey Green Acres Fund” was established by section 6 of the
24 “Preserve New Jersey Act.” The act provides that a certain amount
25 of the portion of dedicated CBT revenues allocated each year for
26 the Green Acres program is to be used for: the acquisition of lands
27 for open space, including Blue Acres projects, and development
28 projects on State lands administered by the DEP’s Division of Fish
29 and Wildlife and Division of Parks and Forestry; grants and loans to
30 fund local government open space acquisition and development
31 projects; and grants to nonprofit entities to acquire or develop lands
32 for recreation and conservation purposes.

33 This bill appropriates funds to be used to provide grants to
34 nonprofit entities to acquire or develop lands for recreation and
35 conservation purposes. Further, of the funding allocated for
36 acquisition and development projects by nonprofit entities, a certain
37 percentage is to be used to fund stewardship activities undertaken
38 by nonprofit entities. A “stewardship activity” is defined in the
39 “Preserve New Jersey Act” as an activity, which is beyond routine
40 operations and maintenance, undertaken to repair or restore lands
41 acquired or developed for recreation and conservation purposes for
42 the purpose of enhancing or protecting those lands for recreation
43 and conservation purposes.

44 Of the amount appropriated by the bill to provide grants to
45 various nonprofit entities: \$4,384,915 is allocated for 10
46 acquisition projects; \$3,641,658 is allocated for nine park
47 development projects; and \$720,500 is allocated for three
48 stewardship activity projects. In addition, the bill appropriates
49 \$437,354 to the DEP for the purposes of paying administrative costs

1 associated with administering the applicable provisions of the
2 “Preserve New Jersey Act.”

3 The projects listed in the bill have been approved by the DEP
4 and the Garden State Preservation Trust.

5 The bill also would allow the DEP to re-distribute certain other
6 moneys, which have been returned to the department due to project
7 withdrawals, cancellations, or cost savings, for the purpose of
8 providing additional funding, for recreation and conservation
9 purposes, to previously approved and funded projects of nonprofit
10 entities, subject to the approval of the Joint Budget Oversight
11 Committee. This additional funding, if provided from a Green
12 Acres bond act, may include administrative costs.