

# SENATE ECONOMIC GROWTH COMMITTEE

## STATEMENT TO

### SENATE, No. 428

# STATE OF NEW JERSEY

DATED: JUNE 13, 2022

The Senate Economic Growth Committee reports favorably Senate Bill No. 428.

As reported, this bill amends and supplements the “Right to Farm Act,” P.L.1983, c.31 (C.4:1C-1 et al.), to specify that certain aquaculture operations are eligible for Right to Farm Act protections.

Under current law, to be eligible for Right to Farm protection, a farm must meet the definition of “commercial farm” and comply with agricultural management practices that are either generally accepted or have been formally adopted by the State Agriculture Development Committee (SADC) through the administrative rulemaking process. Although the SADC has adopted agricultural management practices in 12 areas, one of which is aquaculture, certain aquaculture operation do not receive Right to Farm protections under current law.

Thus, the bill amends the definition of “commercial farm” to include farm management units or aquaculture management units engaging in aquaculture and producing, or likely to produce within three years of commencing aquaculture, aquatic organisms worth \$40,000 or more annually. The bill also provides that an aquaculture operation would not need to qualify for a farmland assessment in order to receive Right to Farm Act protections.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.