

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 3446

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2024

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 3446.

As amended and reported, this bill establishes a new Farmland Assessment Review Commission in the Department of Agriculture (commission). The purpose of the commission is to regularly review and to recommend and facilitate the incorporation of appropriate substantive updates to the State's farmland assessment program in order to promote and ensure the consistent, accurate, reliable, and uniform application and enforcement of existing farmland assessment program requirements, as necessary to ensure the continued fair and equitable Statewide allocation and distribution of farmland assessment program benefits to and among all sites that continue to satisfy the eligibility requirements.

The commission is to consist of nine total members, including the Secretary of Agriculture and the Director of the Division of Taxation in the Department of the Treasury, who serve as ex officio members, and seven appointed members who are residents of the State, including: two residents who are departmental representatives actively engaging in, or overseeing, the operation of the State's farmland assessment program; four residents who are the owners or operators of farmland-assessed sites, or who represent the interests of owners or operators of farmland-assessed sites, in diverse regions of the State; and one resident who is a local tax assessor or other local official responsible for overseeing, or for actively engaging in, farmland assessment benefits eligibility determinations, compliance inspections, or benefits valuations at relevant sites within the local taxing district. The seven appointed members of the commission are to be separately and respectively appointed by the Secretary of Agriculture, the Director of the Division of Taxation, the Governor, the Senate President, the Speaker of the General Assembly, the Senate Minority Leader, and the Minority Leader of the General Assembly.

The commission has the duty to engage in the regular evaluation of certain eligibility-related, funding-related, and other specific requirements established under the farmland assessment program, and to develop recommendations designed to simplify and clarify program requirements address and mitigate various program-related funding

issues, program-related impacts resulting from inflation or inflationary influences, and conflicts existing between the farmland assessment program and other existing laws and programs.

Within one year after the commission's organizational meeting, and annually thereafter, the commission is required to prepare and submit, to the Governor, the State Board of Agriculture, the Department of Agriculture, the Division of Taxation in the Department of the Treasury, and the Legislature, a written report describing the commission's activities, setting forth new findings and recommendations, and providing any supplemental data and guidance or advice as the commission deems necessary to facilitate the timely and effective implementation of commission-recommended changes to the farmland assessment program, and providing specific recommendations for related legislation.

The Senate Economic Growth Committee and the Assembly Commerce, Economic Development and Agriculture Committee (the committees) are required to conduct a meeting to review the recommendations included in the report and to recommend, following the meeting, that the Legislature enact commission-recommended changes, which recommendations for legislation may differ from the commission-recommended changes, at the discretion of the committees.

Whenever a commission report includes a recommendation advocating for the regular review or the specific updating of guidelines that are required to be developed for the purposes of the State's farmland assessment program, the bill requires the State Agriculture Development Committee and the Department of Agriculture to cooperatively develop and implement relevant rules, regulations, procedures, and protocols, as appropriate: (1) to facilitate the regular and ongoing review thereby of such guidelines, at the intervals recommended by the commission; (2) to facilitate the timely revision and updating thereby of such guidelines and the incorporation, therein, of commission-recommended definitional or language changes, or other substantive revisions or updates; or (3) to effectuate enacted legislation recommended by the committees.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) clarify that the Senate Economic Growth Committee and the Assembly Commerce, Economic Development and Agriculture Committee (the committees) are required to conduct a meeting to review the recommendations included in the report that the bill requires the commission to prepare and to recommend, following the meeting, that the Legislature enact commission-recommended changes, which recommendations for legislation may differ from the commission-recommended changes, at the discretion of the committees;

(2) clarify that the State Agriculture Development Committee and Department of Agriculture shall cooperatively develop and implement relevant rules, regulations, procedures, and protocols, as necessary and appropriate: to facilitate the regular and ongoing review thereby of such guidelines, at the intervals recommended by the commission; to facilitate the timely revision and updating thereby of such guidelines and the incorporation, therein, of commission-recommended definitional or language changes, or other substantive revisions or updates; or to effectuate enacted legislation recommended by the committees;

(3) amend a provision in current law to clarify that the State Board of Agriculture, Department of Agriculture, and Department of Environmental Protection are required to consult with the New Jersey Division of the Allegheny Society of American Foresters, rather than the New Jersey Division of the Society of American Foresters; and

(4) make technical amendments to the bill.