

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 4151

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2021

The Senate Environment and Energy Committee favorably reports Senate Bill No. 4151.

This bill appropriates \$60,940,361 from various farmland preservation funds to the State Agriculture Development Committee (SADC) for certain farmland preservation purposes.

Of the funding provided by the bill, \$45,515,361 is appropriated to the SADC to pay the cost of acquisition by the SADC of development easements on, or fee simple titles to, farmland, to provide grants to counties and municipalities for up to 80 percent of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax exempt nonprofit organizations for up to 50 percent of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to: the “Agricultural Retention and Development Act”; the “Garden State Preservation Trust Act”; and the “Preserve New Jersey Act.”

Of the \$45,515,361 provided in section 1 of the bill for the acquisition of fee simple titles and development easements to farmland: \$45,328,760 is from constitutionally dedicated corporation business tax (CBT) revenues in the “Preserve New Jersey Farmland Preservation Fund” established pursuant to the “Preserve New Jersey Act” and \$186,601 is from the “Garden State Farmland Preservation Fund” established pursuant to the “Garden State Preservation Trust Act.”

In addition, this bill appropriates \$3,325,000 from the “Preserve New Jersey Farmland Preservation Fund” to the SADC for the purpose of providing stewardship grants for activities, beyond routine operation and maintenance, undertaken by landowners, or farm operators as agents for landowners, to repair, restore, or improve lands preserved for farmland preservation purposes, including soil and water conservation project activities and deer-fencing activities.

The appropriations in this bill for the acquisition of fee simple titles and development easements to farmland and for stewardship grants have been approved by the SADC and the Garden State Preservation Trust.

The bill also appropriates to the SADC such sums from any additional proceeds which may become available by the effective date of the bill due to the lease or conveyance of farmland previously

acquired in fee simple by the SADC, for the purpose of providing for the cost of acquisition by the SADC of development easements and fee simple titles to farmland for farmland preservation purposes.

This bill also appropriates from the “Preserve New Jersey Farmland Preservation Fund” to the SADC: \$10 million for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of the “Preserve New Jersey Act”; \$1 million for costs associated with administering the direct easement program; \$100,000 for costs associated with the review of appraisals; and \$1 million for the purpose of providing grants to counties and municipalities for the development of farmland preservation plan elements as required by law for the farmland preservation planning incentive grant program.

The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), implements the constitutional dedication of CBT revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. The “Preserve New Jersey Farmland Preservation Fund” was established pursuant to section 8 of the “Preserve New Jersey Act.” Of the funding in this bill, \$60,753,760 is from these constitutionally dedicated CBT revenues.