

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 594

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2023

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 594 (1R).

This bill, as amended by the committee, establishes a nonprofit, educational, and charitable organization to be known as the "New Jersey State Parks and Open Space Foundation" (foundation). The foundation would be devoted to the raising of funds for: (1) improvements to natural or artificial assets, including the planning, design, construction, installation, renovation, repair, or restoration thereof, which are designed to expand and enhance the utilization of State, county, and municipal parks and open space for recreation and conservation purposes and the equitable access thereto; and (2) activities, beyond the routine operations of State, county, or municipal parks and open space, which are intended to enhance public programming and recreational and educational offerings, restore or maintain public accessibility to the natural resources of the State, or support operation and maintenance activities attendant thereto.

The foundation would be incorporated as a New Jersey nonprofit corporation pursuant to N.J.S.15A:1-1 et seq. and would be organized and operated so that it would be eligible, under applicable federal law, for tax-exempt status and for the receipt of tax-deductible contributions.

The New Jersey State Parks and Open Space Foundation would be governed by a board of directors, consisting of 12 members, as follows: the Commissioner of the Department of Environmental Protection (DEP), the Secretary of State, and State Treasurer, or their designees, who would serve as nonvoting, ex officio members; the chairperson of the Garden State Preservation Trust established pursuant to section 4 of P.L.1999, c.152 (C.13:8C-4), or the chairperson's designee, who would serve as an ex officio member; one member of the public appointed by the President of the Senate; one member of the public appointed by the Speaker of the General Assembly; and six members of the public, to be appointed by the Governor, with the advice and consent of the Senate. The public members are to have expertise in open space preservation, recreational

development, natural lands management, or fundraising. Of the public members, at least three members would represent nonprofit organizations having open space preservation or environmental education as their corporate purpose, and two members would have experience advancing the causes of equity or environmental justice. The DEP Commissioner would serve as the chairperson of the board of directors.

The foundation would have the power to solicit and collect monetary donations and receive gifts, grants, devises, bequests, legacies, endowments, personal property, or services from and public or private sources to be used for the purposes of the foundation.

Under the bill, all funds received by the foundation, other than those necessary to pay for the expenses of the foundation, would be used exclusively for: (1) improvements to natural or artificial assets, including the planning, design, construction, installation, renovation, repair, or restoration thereof, which are designed to expand and enhance the utilization of State, county, and municipal parks and open space for recreation and conservation purposes and the equitable access thereto; and (2) activities, beyond the routine operations of State, county, or municipal parks and open space, which are intended to enhance public programming and recreational and educational offerings, restore or maintain public accessibility to the natural resources of the State, or support operation and maintenance activities attendant thereto.

As amended and reported by the committee, Assembly Bill No. 594 (1R) is identical to Senate Bill No. 1311 (1R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments to the bill would:

- 1) add a definition of "county and municipal parks and open space";
- 2) provide that county and municipal parks and open space would be eligible to receive funds from the foundation, and
- 3) make minor technical corrections to the bill.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.