

# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

### **SENATE, No. 1311**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 13, 2022

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1311, with committee amendments.

This bill, as amended by the committee, establishes a New Jersey State Parks and Forests Foundation in the Department of Environmental Protection (DEP). The foundation would be devoted to the raising of funds for the support, including maintenance and development, and promotion of New Jersey's State parks and forests. The foundation would be incorporated as a New Jersey nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1 et seq.), and 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 Forests Foundation would be governed by a board of directors, consisting of nine members, as follows: one representative from the Governor's office, who would serve during the term of the Governor; the Commissioner of Environmental Protection, or the commissioner's designee; 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; 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, natural lands management, or fundraising, be residents of the State, and at least three are to represent nonprofit organizations having open space preservation or environmental education as their corporate purpose.

The foundation would have the power to: solicit and collect monetary donations and receive gifts, grants, devises, and bequests of financial contributions for the development, including stewardship, of lands preserved for recreation and conservation purposes; in consultation with the DEP Commissioner develop and oversee opportunities for the construction and operation of renewable energy generation systems at State parks and forests; advise the DEP concerning the preparation of master plans and management plans prepared by the department for each State park and forest pursuant to section 5 of P.L.1983, c.324 (C.13:1L-5) in order to enhance outdoor

recreational activities and programs within State parks and forests for the benefit of the State's citizens; and enter into partnerships with qualifying tax exempt nonprofit organizations or local government units for the development, including stewardship, of lands preserved for recreation and conservation purposes.

The bill provides that, for the construction and operation of a renewable energy generation system at a State park or forest, the renewable energy generation system is not to interfere with the use of the lands for recreation and conservation purposes and is not to violate any development easement, conservation restriction or easement, or other restriction or easement permanently restricting development on the land. In addition, any electric energy generated by the system would also need to be used, first, to reduce the energy needs of the State park or forest in which the renewable energy generation system is located; and any income derived from the location and operation of a renewable energy generation system is to be dedicated to the development, including stewardship, of State parks and forests.

Under the bill, all funds received by the New Jersey State Parks and Forests Foundation, other than those necessary to pay for the expenses of the foundation, would be used exclusively for the development, including stewardship, and promotion of State parks and forests, and all expenditures by the foundation would be undertaken in consultation with the Division of Parks and Forestry or Division of Fish and Wildlife, as applicable.

The committee amendments make a technical change to the bill.