

**ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY BILL NO. 809  
(First Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Committee Substitute for Assembly Bill No. 809 (First Reprint) with my recommendations for reconsideration.

New Jersey's farmland is one of our State's most valuable assets. Maintaining our farmland enhances the quality of life in the Garden State. Farmland preservation efforts not only yield significant economic benefits, they also maintain wildlife habitats, safeguard scenic landscapes, control flooding, protect wetlands and watersheds and maintain air quality.

The State Agriculture Development Committee ("SADC") is critical to these preservation efforts. The SADC works to protect our State's farmland by developing strategic and innovative approaches to prioritizing farmland preservation investments among all levels of government. Among its many responsibilities is the administration of the Farmland Preservation Program, which provides grants to counties, municipalities and nonprofit groups to fund farmland preservation efforts. Since the Program's inception in 1985, 2,633 farms have been preserved, totaling over 235,000 acres.

The SADC is comprised of eleven members, including the Secretary of Agriculture who serves as its Chairperson, and six citizen members who are appointed by the Governor with the advice and consent of the Senate. Of the six citizen members, four must be actively engaged in farming and two must represent the general public. The SADC's enabling statute provides that, when a citizen appointee is unable to attend a publicly noticed meeting, an alternate member may substitute for that meeting. Like permanent

members, alternate members are appointed by the Governor with the advice and consent of the Senate. In order to serve as an alternate for a member actively engaged in farming, the alternate must be a past member of the State Board of Agriculture or the SADC.

This bill would alter the established process for appointing alternate members to serve on the SADC by allowing an alternate member actively engaged in farming to be selected by the State Board of Agriculture President, in consultation with the Vice President. While I appreciate that the proposed changes would create a more expedient process for appointing alternates, I am concerned that circumventing the vetting inherent in the formal appointment process could cause the quality of the alternates to suffer. SADC members and their decisions have significant impacts on the State and to the agricultural community. Because alternate members have the same duties and responsibilities as permanent members of the SADC, and because the SADC's work is critical to the continued success of New Jersey's farmland preservation efforts, it is important that they are chosen and approved by the Governor and the Legislature in the same manner as permanent members.

The bill's laudable objective of facilitating the appointment of alternate SADC members can instead be achieved by broadening the potential pool of candidates eligible to serve as alternates. Current members of the County Agriculture Development Boards are uniquely qualified to serve as alternates because they work with the SADC and assist in the implementation and coordination of the Farmland Preservation Program in their respective counties.

Therefore, I herewith return Assembly Committee Substitute for Assembly Bill No. 809 (First Reprint) and recommend that it be amended as follows:

- Page 3, Section 1, Line 10: After "the" insert "Governor, in consultation with the"
- Page 3, Section 1, Line 10: After "President" insert "and"
- Page 3, Section 1, Lines 10-11: Delete ", in consultation with"
- Page 3, Section 1, Line 12: After "Agriculture," insert "with the advice and consent of the Senate,"
- Page 3, Section 1, Line 17: Delete "or"
- Page 3, Section 1, Line 18: After "Committee" insert ", or a current member of a County Agriculture Development Board who serves pursuant to section 7 of P.L.1983, c.32 (C.4:1C-14) and is actively engaged in farming"

Respectfully,

/s/ Philip D. Murphy

Governor

[seal]

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor