

## Office of the Governor

PO BOX 004  
TRENTON, NJ 08625

### NEWS RELEASE

CONTACT: Jayne O'Connor  
Gene Herman  
609-777-2600

RELEASE: June 2, 1998

#### **GOVERNOR SIGNS LEGISLATION STRENGTHENING LEGAL PROTECTIONS FOR FARMERS**

Emphasizing her commitment to maintaining farming as a viable industry in New Jersey, Gov. Christie Whitman today signed legislation strengthening the legal protections available to New Jersey farmers. The bill signing took place at the Myers Farm in Upper Deerfield Township.

"New Jersey farmland has always been my home, so I feel especially committed to maintaining agriculture as way of life," the governor said. "In today's ever more competitive market place, it is essential that we help our farmers maintain the advantage that nature has afforded the Garden State."

The bill, A-2014, revises the state's Right to Farm Act to enhance protections to farmers performing recognized farming operations. The new law provides an irrebuttable presumption that no commercial agricultural operation, activity or structure conforming to standards established by the State Agricultural Development Committee (SADC) shall constitute a public or private nuisance. Under previous law, the presumption that agricultural operations could not constitute a public or private nuisance was rebuttable.

The new law allows farmers greater flexibility in managing their businesses by expanding the list of agricultural activity that are excluded from municipal regulation.

The bill establishes a procedure for the (SADC) to resolve complaints by persons aggrieved by the operation of a commercial farm. The bill also requires that state agencies issue an agricultural impact statement when proposing a new rule.

"This bill provides farmers with increased legal protection from unreasonable public and private nuisance suits, as long as the farmers use best management practices," Gov. Whitman said. "At a time when it is commonplace to see a new housing development next to a working farm, conflicts between neighbors are on the rise. Nuisance complaints can develop into costly court cases. This legislation will protect our farmers from costly lawsuits - and will have the added benefit of promoting intelligent planning."

The Governor noted that requiring state agencies to issue an agricultural impact statement when proposing a new rule will keep agricultural interests a top priority. "This makes good business sense for farmers and for New Jersey," she said. "In revising the Right to Farm Act, we are backing up our promise to support New Jersey's farmers, today, tomorrow, and into the future."

The legislation was sponsored by Assembly Members John C. Gibson (R-Cape May/Atlantic/Cumberland) and Christopher "Kip" Bateman (R-Morris/Somerset) and Senators Robert W. Singer (R- Burlington/Monmouth/Ocean) and Raymond J. Zane (D- Salem/Cumberland/Gloucester).