

January 8, 2024

**ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY BILL NOS. 3677 AND 2807  
(First Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I herewith return Assembly Committee Substitute for Assembly Bill Nos. 3677 and 2807 (First Reprint) without my approval.

This bill would prohibit the sale, offer for sale, distribution, importation, exportation, or other propagation of certain invasive plant species in the State, except under a valid permit issued by the Department of Agriculture ("NJDA"). The bill further requires the NJDA to adopt rules and regulations establishing and implementing a permitting program to facilitate the safe sale, import, export, introduction, distribution, and propagation of regulated invasive species in the State. Under the bill, "regulated invasive species" include those invasive plant species enumerated in the bill and others that are formally designated as a regulated invasive species in a list to be published by the NJDA.

The bill would also re-establish, and codify into law, the New Jersey Invasive Species Council ("Council"), originally created by Governor McGreevey in Executive Order No. 97 (2004). The Council would be charged with a number of responsibilities relating to the identification and management of invasive species in New Jersey, as well as reviewing and revising the 2009 New Jersey Strategic Management Plan for Invasive Species that was prepared by the original Council.

I commend the sponsors for seeking to combat the spread of invasive species that pose a threat to New Jersey's ecology through the establishment of a regulatory permitting scheme of invasive plants under the NJDA. Invasive species have the potential to

significantly impact both natural and agricultural resources throughout the State. While the goals of the bill are laudable, I am concerned that the bill does not consider the existing authority of the New Jersey Department of Environmental Protection ("DEP") in this space. Successfully controlling and limiting the spread of invasive species in New Jersey necessitates careful consideration of the framework already established under DEP around potentially dangerous species, which includes non-native and environmentally harmful species. Additional discussion with the relevant agencies is needed to limit duplicative and unproductive efforts to address invasive species across the State.

I look forward to working with the Legislature on building upon this legislation to advance a plan that will best mitigate the threats posed by invasive species. I also look forward to ensuring that the NJDA has the necessary support to successfully administer an invasive species permitting program.

Accordingly, I herewith return Assembly Committee Substitute for Assembly Bill Nos. 3677 and 2807 (First Reprint) without my approval.

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor