

ASSEMBLY, No. 1565

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman ADAM J. TALIAFERRO

District 3 (Cumberland, Gloucester and Salem)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblyman Wirths

SYNOPSIS

Creates alternate voting members on county agriculture development boards.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT creating alternate voting members on county agriculture
2 development boards and amending P.L.1983, c.32.

3

4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 7 of P.L.1983, c.32 (C.4:1C-14) is amended to read
8 as follows:

9 7. a. The governing body of any county may, by resolution
10 duly adopted, establish a public body under the name and style of
11 **["The County"]** the "County Agriculture Development Board," with
12 all or any significant part of the name of the county inserted. Every
13 board shall consist of three non-voting members as follows: a
14 representative of the county planning board; a representative of the
15 local soil conservation district; and the county agent of the New
16 Jersey Cooperative Extension Service whose jurisdiction
17 encompasses the boundaries of the county; and seven voting
18 members and two alternate members who shall be residents of the
19 county **[, four of whom]** . Four of the voting members and one
20 alternate member shall be actively engaged in farming, **[the**
21 **majority]** of whom at least three of the four voting members shall
22 own a portion of the land they farm **[,]** ; and three of **[whom]** the
23 voting members and one alternate member shall represent the
24 general public, appointed by the board of chosen freeholders, or, in
25 the counties operating under the county executive plan or county
26 supervisor plan pursuant to the provisions of the "Optional County
27 Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), by the county
28 executive, or the county supervisor, as the case may be, with the
29 advice and consent of the board of chosen freeholders. With
30 respect to the four voting members actively engaged in farming and
31 one alternate member actively engaged in farming , the county
32 board of agriculture shall recommend to the board of chosen
33 freeholders, the county executive or the county supervisor, as
34 appropriate, a list of potential candidates **[and their alternates]** to
35 be considered for each appointment. Alternate members may
36 participate in discussions of the proceedings but shall vote only in
37 the absence or disqualification of a voting member. The alternate
38 member actively engaged in farming shall only be eligible to vote in
39 place of a voting member actively engaged in farming, and the
40 alternate member representing the general public shall only be
41 eligible to vote in place of a voting member representing the
42 general public. A vote shall not be delayed in order that a voting
43 member may vote instead of an alternate member.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 b. Of the seven members first to be appointed, three shall be
2 appointed for terms of two years, two for terms of three years, and
3 two for terms of four years. Thereafter, all appointments shall be
4 made for terms of four years. The alternate members shall be
5 appointed for terms of four years. Each of these members shall
6 hold office for the term of the appointment and until a successor
7 shall have been appointed and qualified. Any vacancy in the
8 membership occurring other than by expiration of term shall be
9 filled in the same manner as the original appointment but for the
10 unexpired term only.

11 c. The board of chosen freeholders, county executive or county
12 supervisor, as appropriate, may appoint such other advisory
13 members to the board as they may deem appropriate.

14 d. Members of the board shall receive no compensation but the
15 appointive members may, subject to the limits of funds appropriated
16 or otherwise made available for these purposes, be reimbursed for
17 expenses actually incurred in attending meetings of the board and in
18 performance of their duties as members thereof.

19 e. The board shall meet as soon as may be practicable
20 following the appointment of its members and shall elect a
21 chairman from among its members and establish procedures for the
22 conduct of regular and special meetings, provided that all meetings
23 are conducted in accordance with the provisions of the "Senator
24 Byron M. Baer Open Public Meetings Act," P.L.1975, c.231
25 (C.10:4-6 et seq.). The chairman shall serve for a term of one year
26 and may be reelected.

27 f. The chairman shall appoint three voting members actively
28 engaged in farming and one alternate member actively engaged in
29 farming to serve with the representatives of the general public for
30 the purpose of mediating disputes pursuant to the provisions of
31 section 19 of **【this act】** P.L.1983, c.32 (C.4:1C-26) .

32 g. Notwithstanding the provisions of subsections a. and b. of
33 this section, any public body established by the governing body of
34 any county prior to May 3, 1982 which was established to carry out
35 functions substantially similar to the functions of boards pursuant to
36 this act and which proposes to apply for grants pursuant hereto may
37 carry out the functions authorized herein, provided that within five
38 years following the effective date of this act those boards
39 established prior to May 3, 1982 shall reorganize so that the board
40 reflects no more than a simple majority of members actively
41 engaged in farming or equal representation of the general public
42 and those actively engaged in farming.

43 (cf: P.L.1993, c.19, s.1)
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45 2. This act shall take effect on the first day of the third month
46 next following the date of enactment.

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This bill would require each CADB to have two alternate members, one of whom represents the general public and one of whom is actively engaged in farming. These alternate members would each serve for a term of four years and may vote in place of an appointed voting member of their respective appointment background, should a voting member be absent or disqualified. The alternate voting member may participate in discussions of the proceedings when not voting.

The alternate member with a farming background would be appointed in the same manner as the four members actively engaged in farming, and the alternate member representing the general public would be appointed in the same manner as the three members representing the general public.