

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 4035**

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 13, 2023

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 4035 (1R).

This bill requires the Governor to appoint from among three candidates recommended by the State Board of Agriculture, with the advice and consent of the Senate, the executive director of the State Agriculture Development Committee (SADC). Currently, the executive director is appointed by the SADC.

The executive director would serve at the pleasure of the Governor for a term of five years, and would be eligible for reappointment. The bill requires the Governor to nominate an executive director of the SADC no later than 12 months after the effective date of the bill. The bill also prohibits the executive director from representing any person or party other than the State before or against the SADC, or registering as a "governmental affairs agent" as defined in section 3 of P.L.1971, c.183 (C.52:13C-20), for a period of two years from the termination of the executive director's employment.

Section 3 of P.L.1971, c.183 (C.52:13C-20) defines "governmental affairs agent" as any person who receives or agrees to receive, directly or indirectly, compensation, in money or anything of value including reimbursement of his expenses where such reimbursement exceeds \$100.00 in any three-month period, to influence legislation, to influence regulation or to influence governmental processes, or all of the above, by direct or indirect communication with, or by making or authorizing, or causing to be made or authorized, any expenditures providing a benefit to, a member of the Legislature, legislative staff, the Governor, the Lieutenant Governor, the Governor's staff, or any officer or staff member of the Executive Branch, or who holds himself out as engaging in the business of influencing legislation, regulation or governmental processes, by such means, or who incident to his regular employment engages in influencing legislation, regulation or governmental processes, by such means; provided, however, that a person shall not be deemed a governmental affairs agent who, in relation to the duties or interests of his employment or at the request or suggestion of his employer, communicates with a member of the Legislature, with legislative staff, with the Governor, with the Lieutenant Governor, with the Governor's staff, or with an officer or

staff member of the Executive Branch concerning any legislation, regulation or governmental process, if such communication is an isolated, exceptional or infrequent activity in relation to the usual duties of his employment.

As reported by the committee, Assembly Bill No. 4035 (1R) is identical to Senate Bill No. 3577, which was also reported by the committee on this date.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.