

SENATE BILL NO. 998  
(First Reprint)

ADVANCE COPY

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 998 (First Reprint) without my approval.

This bill is a solution in search of a problem. It is a political movement masquerading as substantive policy. It is akin to this Legislature's earlier attempt to ban hydraulic fracturing in our State when we have no frackable shale in New Jersey. We do not have an issue with gestation crates in New Jersey either; it is a practice not currently in use in New Jersey. I urge the Legislature to stop using their law making authority to play politics with issues that don't exist in our State. We have significant issues to deal with; I urge them to get to work on those and stop following misguided partisans and special interest groups who want to use the law making process as a political cudgel on issues outside our borders.

Last session, I vetoed Senate Bill No. 1921 (2013) because the scholarship and evidence regarding the use of gestation crates was divergent and unsettled. As I explained then, given the variety of views on the subject, the proper balancing of the humane treatment of gestating pigs best rests with the State's farming experts - the State Board of Agriculture ("State Board") and the Department of Agriculture ("Department") both of whom find this bill unnecessary and ill-advised. I will rely on our in-state experts rather than the partisan politicians who sponsor this bill. These facts are no less true today.

In 1995, in recognition of their expertise concerning agricultural best practices, the Legislature directed the State

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Board and the Department to develop and adopt standards for the humane raising, keeping, care, and treatment of domestic livestock. These Humane Standards have put New Jersey at the vanguard of protecting domestic livestock from animal cruelty. In upholding the majority of the Humane Standards, the Supreme Court of New Jersey observed that "the Department took seriously its charge to consider all aspects of . . . the welfare of domestic livestock." In directing the State Board and the Department to adopt Humane Standards, the Legislature specifically required that such adoption be in accordance with the Administrative Procedure Act, thereby exposing all standards to public review and scrutiny, allowing all stakeholders to voice their opinion, and ensuring that all perspectives and the most current scientific evidence are considered before any standards are adopted.

While Senate Bill No. 1921 (2013) sought to codify certain agricultural practices in statute, the bill before me now instead directs the State Board and the Department to codify those same agricultural practices by regulation. In passing a bill that purports both to comport with my previous veto but also replace the judgment of the State's farming experts with that of its own, the Legislature falls short by half. This bill would have the same effect as the bill presented to me last session; it is a distinction without a difference. One need not think hard to discern the motivation behind passing a substantively identical bill to one I vetoed less than eighteen months ago by the partisans who sponsored this bill.

I have every confidence that the State Board and the Department will continue to closely monitor and study modern and appropriate techniques for the humane raising, keeping, care,

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and treatment of all domestic livestock, and will propose amended regulations if, and when, modern science and evidence demonstrates a need for modified agricultural practices.

Accordingly, I herewith return Senate Bill No. 998 (First Reprint) without my approval.

Respectfully,

[seal]

/s/ Chris Christie  
Governor

Attest:

/s/ Christopher S. Porrino  
Chief Counsel to the Governor