

September 15, 2022

ASSEMBLY BILL NO. 3149

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3149 with my recommendations for reconsideration.

This bill would amend N.J.S.A. 18A:64I-1 to change the management of the New Jersey School of Conservation ("NJSOC") from Montclair State University ("MSU") to the Friends of the NJSOC ("Friends"), a non-profit entity.

Originally established in 1949, the NJSOC is the oldest and largest university-based environmental education facility in the nation. The NJSOC has served as a school for environmental field studies for K-12 students, college students, graduate students, and teachers. The buildings and grounds of the NJSOC are within the Stokes State Forest in Sussex County and are owned by the Department of Environmental Protection ("DEP").

P.L.1981, c.148, N.J.S.A. 18A:64I-1 et seq., permanently designated the NJSOC as a school for environmental field study under the direction of the Board of Trustees of MSU. The Friends was established soon thereafter in 1987 as a nonprofit entity dedicated to coordinating volunteer-run projects and programs and assisting with financial support for the NJSOC.

In May 2020, MSU announced that it was no longer financially viable for the university to administer the NJSOC and transferred all control of the grounds back to the DEP. In recognition of the importance of the NJSOC in educating the next generation of environmental stewards, my Administration was pleased to partner with the Legislature and the Friends to keep the NJSOC open under these challenging circumstances.

Throughout the 2021-2022 school year, supported by an appropriation of \$1 million and pursuant to an interim agreement with DEP, the Friends operated day programs at the NJSOC for school

children and university students. While this work has been instrumental in keeping the mission of the NJSOC alive, it is important that there be long-term certainty with respect to the management and operation of the NJSOC, and the process by which the school receives financial support from the State.

In addition to changing the management of the NJSOC from MSU to the Friends, this bill would direct the Department of Education ("DOE") to include an appropriate amount to maintain the operations of the NJSOC in the school aid portion of its annual budget request. In support of the DOE's budget request, the bill would also direct the Friends to submit financial figures and a request for state funding to the DOE no later than January 15 of each year. Finally, the bill would repeal sections of law that require the Board of Trustees of MSU to request and expend funding for the NJSOC.

While I fully support the sponsors' intention of vesting permanent responsibility for the management of the NJSOC in the Friends and ensuring adequate funding to support the NJSOC's operations, several changes to the bill are necessary to ensure that the NJSOC can operate as effectively as possible. First, in order to make clear that DEP, as the state agency with ownership of the NJSOC property, has the authority to set appropriate conditions for the Friends' management of the NJSOC, I am recommending that the legislation direct DEP and the Friends to enter into a lease with respect to the management of the property. To ensure that the Friends can begin operating the NJSOC in a timely fashion, the parties will have no more than 60 days from the enactment of the legislation to execute the lease. Second, because DEP will continue to own the underlying property and will hold the lease with the Friends, I am recommending that funding for the NJSOC be included in DEP's budget rather than DOE's.

Finally, I am recommending other minor revisions to the bill's funding provisions to better reflect the annual budget process.

Therefore, I herewith return Assembly Bill No. 3149 and recommend that it be amended as follows:

Page 2, Section 1, Line 18: After "organization." insert "Within 60 days of enactment, the Friends of the New Jersey School of Conservation will enter into a lease or similar agreement with the Department of Environmental Protection upon such terms as are customary for the Department of Environmental Protection's administration of state lands or other residential facilities and as otherwise agreed upon by the parties."

Page 2, Section 2, Line 23: Delete "Commissioner of Education" and insert "Governor, Commissioner of Environmental Protection, and the Legislature"

Page 2, Section 2, Line 29: Delete "The Commissioner of Education shall include an appropriate"

Page 2, Section 2, Lines 30-31: Delete in their entirety

Page 2, Section 2, Line 32: Delete "Education's annual budget request."

Page 2, Section 2, Line 32: After "of" delete "Education" and insert "Environmental Protection"

Page 2, Section 2, Line 33: Delete "grant" and insert "provide"

Page 2, Section 2, Line 33: Delete "for this purpose"

Page 2, Section 2, Line 34: After "act" insert "for the maintenance and support of the New Jersey School of Conservation"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor