

## **Nominees to Pinelands Commission held up by controversial practice of ‘senatorial courtesy.’**

*The Press of Atlantic City*, December 4, 2020

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State Sen. Michael Testa is exercising the long-standing and unwritten privilege of New Jersey senators to be a “roadblock” — in this case, between Robert Jackson and a seat on the state Pinelands Commission.

“With good conscience, I could not sign off on his appointment,” Testa, R-Cape May, Cumberland, Atlantic, said Wednesday in a statement of “senatorial courtesy.” Decried by reformers, the practice allows senators to block gubernatorial nominations of people living in the county the senator represents — without reason.

Testa cited Jackson’s opposition — during a past tenure with the commission — to the “final completion of Route 55, which would create a safe evacuation route for Cape May County” in the event of an emergency.

Jackson served on the commission from 2008 to 2015, having been appointed by Democratic Gov. Jon S. Corzine. He is one of five nominees to the 15-member commission submitted by Gov. Phil Murphy in 2019. The Senate has yet to vote on the nominations.

The commission is responsible for preservation of natural resources and management of development over an area of 1.1 million acres in South Jersey.

Environmental advocates hope new appointments will reverse former Gov. Chris Christie’s “vicious approach to the commission,” in the words of one advocate. But senatorial courtesy has blocked, in addition to Jackson, the nomination of Jessica Rittler Sanchez, of Tabernacle, Burlington County, and perhaps others.

Testa, who was elected in November 2019, called Jackson “a roadblock for multiple Cape May County projects” and the supporter of “an out-of-the-mainstream, environmental agenda, driven by national organizations that have little concern or understanding of the broader needs of 1st District residents.”

Jackson said he was not surprised by Testa’s opposition.

“He didn’t like my being honest and voting the truth,” said Jackson, the former mayor of West Cape May. The senator, Jackson said, is among

those politicians “who, if you’re not going to do what they tell you to do, don’t want you.”

He dismissed Testa’s evacuation concerns.

“If you look at the numbers (regarding evacuation), Cape May is doing fine,” Jackson said. “If you look at the real time saved (from a completion of Route 55), it’s not worth the money.” He added, “The existing infrastructure, if it were upgraded, would not have a problem evacuating Cape May County.”

Testa also criticized Jackson’s opposition to a pipeline through part of the Pinelands leading to the B. L. England power plant in Upper Township. Jackson’s stance on the project, which was eventually scrapped, cost Jackson his seat on the commission. In 2015, despite heated objections from environmental advocates and legislators of both parties, Christie did not reappoint Jackson to the panel.

In Burlington County, Sanchez’s nomination is being blocked by one of the county’s two senators, Republican turned Democrat Dawn Marie Addiego, according to the nominee.

“She has not signed off on the nomination,” said Sanchez. “I do not know why. I reached out to her six times in 2019. This year I reached out only once.”

The senator did not respond, Sanchez said. But the other senator who represents her county, Republican Chris Connors, recently telephoned to announce his signing off on the nomination, Sanchez said

Addiego’s chief of staff, Rick England, declined to comment on the issue.

She wonders if her nomination will again expire due to senatorial inaction, as it did at the end of 2019, and she will again face the “hassle” of resubmitting paperwork to accompany a nomination. Members of the 15-person Pinelands Commission serve on a voluntary basis, supported by a paid staff.

“If the Legislature doesn’t see fit to act to protect and preserve the Pinelands and its governing body, what message does that send?” she said. Two nominees have received sign-offs from their senators, according to Ed Potosnak, executive director of the New Jersey League of Conservation Voters. They are Jennifer Coffey, of Hamilton Township, Mercer County, and Theresa Lettman, of Manchester Township, Ocean County.

Potosnak said there was a decent chance the Senate would vote on Coffey and Lettman within the next four weeks.

A fifth nominee is up for reappointment: Columbia Law School professor Edward Lloyd. Though reappointment seems “a no-brainer,” his nomination remains stalled for unknown reasons, Potosnak said.

A spokesman for the Pinelands Commission disputed claims made by some environmentalists that the panel has struggled because of its current lower number of members.

“The commission currently has 12 members on its 15-member board, and eight members are needed to obtain a quorum,” said Paul Leakan, communications officer for the commission. “We are only down three members, and we have never canceled a commission meeting due to a lack of a quorum.”

The Pinelands Commission is not the state’s only environmental regulatory body short of members due to senatorial courtesy. Nominations to the Highlands Council have been delayed by Sen. Nia Gill, D-Essex, said Elliott Ruga, policy and communications director of the Highlands Coalition. Gill is holding up the nomination of Wynnie-Fred Victor Hinds, Ruga said.

“(Senatorial courtesy) makes some sense in the state whose executive has greater power than in other states, to better balance the co-equal branches of government,” Ruga wrote earlier this year. “But come on! As an unwritten rule there is no recourse if it is abused.”

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