

**13:1E-229 & 13:1E-230**  
**LEGISLATIVE HISTORY CHECKLIST**

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**LAWS OF:** 2019                    **CHAPTER:** 215

**NJSA:** 13:1E-229 & 13:1E-230 (Establishes "New Jersey Solar Panel Recycling Commission.")

**BILL NO:** S601                    (Substituted for A4011)

**SPONSOR(S)** Bob Smith and others

**DATE INTRODUCED:** 1/9/2018

**COMMITTEE:**                    **ASSEMBLY:** Environment & Solid Waste  
Budget

**SENATE:** Environment & Energy

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** 6/20/2019

**SENATE:** 6/27/2019

**DATE OF APPROVAL:** 8/9/2019

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Second Reprint enacted)                    Yes

**S601**

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill)

Yes **COMMITTEE STATEMENT:**    **ASSEMBLY:** Environment & Solid Waste  
Budget

Yes    **SENATE:** Yes     Environment & Energy

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**    No

**LEGISLATIVE FISCAL ESTIMATE:**    No

**A4011**

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**    **ASSEMBLY:** Yes     Environment & Solid Waste  
Budget

**SENATE:** No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**    No

**LEGISLATIVE FISCAL ESTIMATE:**    No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

RWH/CL

P.L. 2019, CHAPTER 215, *approved August 9, 2019*  
Senate, No. 601 (*Second Reprint*)

1 AN ACT concerning recycling of solar and photovoltaic energy  
2 generation facilities and structures, and supplementing Title 13  
3 of the Revised Statutes.

4

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

7

8 <sup>2</sup>**[**1. a. The owner of a solar or photovoltaic energy generation  
9 facility or structure shall remove and recycle the facility or  
10 structure, including any related equipment or infrastructure, <sup>1</sup>after  
11 termination of its use,<sup>1</sup> in accordance with rules and regulations  
12 adopted by the Department of Environmental Protection pursuant to  
13 subsection b. of this section.

14 b. The department shall adopt, pursuant to the "Administrative  
15 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
16 regulations necessary to implement the provisions of this section  
17 which shall include, but need not be limited to, minimum  
18 requirements for the removal and recycling of solar and  
19 photovoltaic energy generation facilities and structures.

20 c. Any person who violates the provisions of this section, or  
21 any rules or regulations adopted pursuant thereto, shall be subject to  
22 a civil penalty up to <sup>1</sup>**[\$1000]** \$1,000<sup>1</sup>, to be collected in a civil  
23 action by a summary proceeding under the "Penalty Enforcement  
24 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior  
25 Court and the municipal court shall have jurisdiction to enforce the  
26 provisions of the "Penalty Enforcement Law of 1999" pursuant to  
27 this subsection.]<sup>2</sup>

28

29 <sup>2</sup>1. There is established the "New Jersey Solar Panel Recycling  
30 Commission." The purpose of the commission shall be to  
31 investigate options for recycling and other end-of-life management  
32 methods for photovoltaic and other solar energy generation  
33 structures, and to develop recommendations for legislative,  
34 administrative, or private sector action.

35 a. The commission shall consist of nine voting members as  
36 follows:

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SEN committee amendments adopted May 21, 2018.

<sup>2</sup>Assembly ABU committee amendments adopted June 17, 2019.

- 1     (1) the Commissioner of Environmental Protection, or the  
2 commissioner's designee, who shall serve ex officio as chairperson;  
3     (2) the Commissioner of Community Affairs, or the  
4 commissioner's designee, who shall serve ex officio as vice-  
5 chairperson; and  
6     (3) seven members who shall be appointed by the Governor no  
7 later than the 90th day next following the effective date of this act  
8 as follows:  
9     (a) two members of the State's business community with  
10 expertise, knowledge, or experience in Class D recycling and the  
11 disposal of consumer electronics;  
12     (b) one representative of a non-profit organization that promotes  
13 recycling in the State;  
14     (c) two members who are currently employed in the solar power  
15 industry; and  
16     (d) two members representing the State's academic community  
17 with expertise in recycling issues.  
18     b. The commission shall organize as soon as practicable, but no  
19 later than the 30th day after the appointment of all its members.  
20 Any vacancy in the membership shall be filled in the same manner  
21 as the original appointment.  
22     c. The commission shall meet at the call of the chairperson,  
23 and it may hold hearings at the times and in the places it may deem  
24 appropriate and necessary to fulfill its charge.  
25     d. A simple majority of the commission shall constitute a  
26 quorum for the transaction of commission business. Action may be  
27 taken and motions and resolutions adopted by the commission at  
28 any meeting thereof by the affirmative vote of a majority of the  
29 membership of the commission.  
30     e. Members of the commission shall serve without  
31 compensation, but the commission may, within the limits of funds  
32 appropriated or otherwise made available to it, reimburse its  
33 members for actual and necessary expenses incurred in the  
34 discharge of their official duties.  
35     f. The commission shall be entitled to call to its assistance and  
36 avail itself of the services of the employees of any State, county, or  
37 municipal department, board, bureau, commission, authority, or  
38 agency as it may require and as may be available to it for its  
39 purposes; to employ stenographic and clerical assistance; and to  
40 incur traveling and other miscellaneous expenses as may be  
41 necessary in order to perform its duties, within the limits of funds  
42 appropriated or otherwise made available to it for its purposes. The  
43 Department of Environmental Protection shall provide staff support  
44 to the commission.  
45     g. The commission shall submit its findings and conclusions in  
46 a final report, together with any recommendations for legislative,  
47 administrative, or private sector action, to the Governor and,  
48 pursuant to section 2 of P.L.1991, c.164 (C:52:14-19.1), to the

1 Legislature within one year after the appointment of all its  
2 members. The commission may extend the deadline to submit the  
3 report by one additional year upon notice to the Governor and the  
4 Legislature. The report shall be posted on the Department of  
5 Environmental Protection's Internet website.<sup>2</sup>

6  
7 <sup>2</sup>2. The Department of Environmental Protection may adopt,  
8 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
9 (C.52:14B-1 et seq.), rules and regulations based on the  
10 recommendations contained in the report submitted by the "Solar  
11 Panel Recycling Commission," established pursuant to section 1 of  
12 this act, concerning recycling or other end-of-life management  
13 methods for photovoltaic and other solar energy generation  
14 structures.<sup>2</sup>

15  
16 <sup>2</sup>[2.] 3.<sup>2</sup> This act shall take effect <sup>2</sup>[on the <sup>1</sup>[180th] 365th<sup>1</sup> day  
17 next following the date of enactment, except that the Department of  
18 Environmental Protection may take any administrative action in  
19 advance thereof as shall be necessary for the implementation of this  
20 act] immediately and section 1 shall expire upon the submittal by  
21 the commission of the final report required pursuant to subsection  
22 g. of section 1 of this act<sup>2</sup> .

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Establishes "New Jersey Solar Panel Recycling Commission."

# SENATE, No. 601

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Requires end-of-life recycling of solar and photovoltaic energy generation facilities and structures.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/2/2018)**

1 AN ACT concerning recycling of solar and photovoltaic energy  
2 generation facilities and structures, and supplementing Title 13  
3 of the Revised Statutes.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. a. The owner of a solar or photovoltaic energy generation  
9 facility or structure shall remove and recycle the facility or  
10 structure, including any related equipment or infrastructure, in  
11 accordance with rules and regulations adopted by the Department of  
12 Environmental Protection pursuant to subsection b. of this section.

13 b. The department shall adopt, pursuant to the "Administrative  
14 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
15 regulations necessary to implement the provisions of this section  
16 which shall include, but need not be limited to, minimum  
17 requirements for the removal and recycling of solar and  
18 photovoltaic energy generation facilities and structures.

19 c. Any person who violates the provisions of this section, or any  
20 rules or regulations adopted pursuant thereto, shall be subject to a  
21 civil penalty up to \$1000, to be collected in a civil action by a  
22 summary proceeding under the "Penalty Enforcement Law of  
23 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court  
24 and the municipal court shall have jurisdiction to enforce the  
25 provisions of the "Penalty Enforcement Law of 1999" pursuant to  
26 this subsection.  
27

28 2. This act shall take effect on the 180th day next following the  
29 date of enactment, except that the Department of Environmental  
30 Protection may take any administrative action in advance thereof as  
31 shall be necessary for the implementation of this act.  
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33

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#### STATEMENT

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36 This bill would require the owner of solar and photovoltaic  
37 energy generation facilities and structures to remove and recycle the  
38 facility and structures and any related equipment or infrastructure  
39 after the termination of their use. The Department of  
40 Environmental Protection would be required to adopt regulations to  
41 establish standards for the removal and recycling of solar and  
42 photovoltaic energy generation facilities and structures. Any  
43 person found to have violated the provisions of this bill, or any  
44 rules or regulations adopted pursuant thereto, would be subject to a  
45 civil penalty up to \$1000.

ASSEMBLY ENVIRONMENT AND SOLID WASTE  
COMMITTEE

STATEMENT TO

[First Reprint]

**SENATE, No. 601**

**STATE OF NEW JERSEY**

DATED: OCTOBER 18, 2018

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 601 (1R).

This bill would require the owner of a solar or photovoltaic energy generation facility or structure to remove and recycle the facility or structure and any related equipment or infrastructure after termination of their use. The Department of Environmental Protection would be required to adopt regulations to establish standards for the removal and recycling of solar and photovoltaic energy generation facilities and structures. Any person found to have violated the provisions of the bill, or any rules or regulations adopted pursuant thereto, would be subject to a civil penalty up to \$1,000.

As reported by the committee, this bill is identical to Assembly Bill No. 4011 as amended and also reported by the committee.



# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

[First Reprint]

## SENATE, No. 601

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Assembly Budget Committee reports favorably, Senate Bill No. 601 (1R), with committee amendments.

This bill, as amended, would establish the "New Jersey Solar Panel Recycling Commission" to study and investigate options for recycling and other end-of-life management options for photovoltaic and other solar energy generation structures, and to develop recommendations for legislative, administrative, or private sector action.

The commission would be comprised of nine members as follows: (1) the Commissioner of Environmental Protection or a designee; (2) the Commissioner of Community Affairs or a designee; (3) two members of the State's business community with expertise, knowledge, or experience in Class D (consumer electronics) recycling; (4) one representative of a non-profit organization that promotes recycling in the State; (5) two members who are currently employed in the solar power industry; and (6) two members representing the State's academic community with expertise in recycling issues.

The commission would be required to produce a final report within one year after appointment of its members with the option to extend the deadline for one additional year, after which the commission would expire. The bill would authorize the Department of Environmental Protection to adopt rules and regulations based the recommendations of the commission.

### COMMITTEE AMENDMENTS

The committee amendments to the bill:

- 1) delete a section of the bill which would have required the removal and recycling of solar energy generation facilities and structures after termination of their use;
- 2) establish the "New Jersey Solar Panel Recycling Commission"; and
- 3) authorize the DEP to adopt rules and regulations based the recommendations of the commission.

### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

### SENATE, No. 601

# STATE OF NEW JERSEY

DATED: MAY 21, 2018

The Senate Environment and Energy Committee favorably reports Senate Bill No. 601 with committee amendments.

This bill, as amended, would require the owner of a solar or photovoltaic energy generation facility or structure to remove and recycle the facility or structure and any related equipment or infrastructure after termination of their use. The Department of Environmental Protection (DEP) would be required to adopt regulations to establish standards for the removal and recycling of solar and photovoltaic energy generation facilities and structures. Any person found to have violated the provisions of this bill, or any rules or regulations adopted pursuant thereto, would be subject to a civil penalty up to \$1,000.

The committee amendments to the bill would: (1) clarify that solar or photovoltaic energy generation facilities or structures must be removed and recycled after termination of their use; and (2) provide that the bill will take effect on the 365th day after the date of enactment, but that the DEP may take administrative action in advance of the effective date.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# ASSEMBLY, No. 4011

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 17, 2018

**Sponsored by:**

**Assemblywoman NANCY J. PINKIN**

**District 18 (Middlesex)**

**SYNOPSIS**

Requires end-of-life recycling of solar and photovoltaic energy generation facilities and structures.

**CURRENT VERSION OF TEXT**

As introduced.



A4011 PINKIN

2

1 AN ACT concerning recycling of solar and photovoltaic energy  
2 generation facilities and structures, and supplementing Title 13  
3 of the Revised Statutes.

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

7  
8 1. a. The owner of a solar or photovoltaic energy generation  
9 facility or structure shall remove and recycle the facility or  
10 structure, including any related equipment or infrastructure, in  
11 accordance with rules and regulations adopted by the Department of  
12 Environmental Protection pursuant to subsection b. of this section.

13 b. The department shall adopt, pursuant to the "Administrative  
14 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
15 regulations necessary to implement the provisions of this section  
16 which shall include, but need not be limited to, minimum  
17 requirements for the removal and recycling of solar and  
18 photovoltaic energy generation facilities and structures.

19 c. Any person who violates the provisions of this section, or  
20 any rules or regulations adopted pursuant thereto, shall be subject to  
21 a civil penalty up to \$1,000, to be collected in a civil action by a  
22 summary proceeding under the "Penalty Enforcement Law of  
23 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court  
24 and the municipal court shall have jurisdiction to enforce the  
25 provisions of the "Penalty Enforcement Law of 1999" pursuant to  
26 this subsection.

27  
28 2. This act shall take effect on the 180th day next following the  
29 date of enactment, except that the Department of Environmental  
30 Protection may take any administrative action in advance thereof as  
31 shall be necessary for the implementation of this act.

32

33

34

STATEMENT

35

36 This bill would require the owner of solar and photovoltaic  
37 energy generation facilities and structures to remove and recycle the  
38 facility and structures and any related equipment or infrastructure  
39 after the termination of their use. The Department of  
40 Environmental Protection would be required to adopt regulations to  
41 establish standards for the removal and recycling of solar and  
42 photovoltaic energy generation facilities and structures. Any  
43 person found to have violated the provisions of this bill, or any  
44 rules or regulations adopted pursuant thereto, would be subject to a  
45 civil penalty up to \$1,000.

ASSEMBLY ENVIRONMENT AND SOLID WASTE  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 4011**

with committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 18, 2018

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 4011.

This bill, as amended, would require the owner of a solar or photovoltaic energy generation facility or structure to remove and recycle the facility or structure and any related equipment or infrastructure after termination of their use. The Department of Environmental Protection (DEP) would be required to adopt regulations to establish standards for the removal and recycling of solar and photovoltaic energy generation facilities and structures. Any person found to have violated the provisions of the bill, or any rules or regulations adopted pursuant thereto, would be subject to a civil penalty up to \$1,000.

As amended and reported by the committee, this bill is identical to Senate Bill No. 601 (1R) as also reported by the committee.

COMMITTEE AMENDMENTS:

The committee amendments to the bill: (1) clarify that solar or photovoltaic energy generation facilities or structures must be removed and recycled after termination of their use; and (2) provide that the bill will take effect on the 365th day after the date of enactment, but that the DEP may take administrative action in advance of the effective date.

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 4011

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Assembly Budget Committee reports favorably Assembly Bill No. 4011 (1R), with committee amendments.

As amended, this bill would establish the "New Jersey Solar Panel Recycling Commission" to study and investigate options for recycling and other end-of-life management options for photovoltaic and other solar energy generation structures, and to develop recommendations for legislative, administrative, or private sector action.

The commission would be comprised of nine members as follows: (1) the Commissioner of Environmental Protection or a designee; (2) the Commissioner of Community Affairs or a designee; (3) two members of the State's business community with expertise, knowledge, or experience in Class D (consumer electronics) recycling; (4) one representative of a non-profit organization that promotes recycling in the State; (5) two members who are currently employed in the solar power industry; and (6) two members representing the State's academic community with expertise in recycling issues.

The commission would be required to produce a final report within one year after appointment of its members with the option to extend the deadline for one additional year, after which the commission would expire. The bill would authorize the Department of Environmental Protection to adopt rules and regulations based the recommendations of the commission.

### COMMITTEE AMENDMENTS

The committee amendments to the bill:

- 1) delete a section of the bill which would have required the removal and recycling of solar energy generation facilities and structures after termination of their use;
- 2) establish the "New Jersey Solar Panel Recycling Commission"; and
- 3) authorize the DEP to adopt rules and regulations based the recommendations of the commission.

### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# Governor Murphy Takes Action on Legislation

08/9/2019

**TRENTON** - Today, Governor Phil Murphy signed the following bills into law:

**A312 (Pinkin, Conaway, Giblin, Holley, Danielsen, Mukherji, Wimberly/Vitale, Rice)** - Requires certain health care facilities to provide information concerning palliative care and hospice care services.

**A841 (Land, Calabrese/Andrzejczak)** - Provides for establishment of county college certificate programs to meet needs of certain regional employers.

**A1700 (Dancer, Vainieri Huttie, Calabrese/Cruz-Perez, Cunningham)** - Expands eligibility criteria for designating certain areas as being in need of redevelopment.

**A2004 (Karabinchak, Mazzeo, Pinkin, Coughlin/Diegnan)** - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

**A3937 (DeAngelo, Reynolds-Jackson, Verrelli/Turner)** - Allows local government water system employees to reside in all municipalities served by water system.

**A4115 (Benson, DeAngelo, Holley/Greenstein)** - Clarifies that certain students are eligible for NJ STARS and NJ STARS II scholarship upon initial enrollment at institution of higher education on part-time basis.

**A4223 (Johnson, Rooney/Weinberg, Lagana)** - Requires State Treasurer to pay county prosecutor's expenses for overseeing certain law enforcement agencies.

**A4938 (Tucker, Pinkin, Vainieri Huttie/Ruiz, Greenstein)** - Requires DOH to establish "My Life, My Plan" program to support women of childbearing age in developing reproductive life plan.

**A5021 (Quijano, Bramnick, Reynolds-Jackson, Pinkin, Downey/Vitale, Kean)** - Requires Medicaid coverage for group prenatal care services under certain circumstances.

**A5322 (Burzichelli, Milam, Houghtaling, Taliaferro/Sweeney, Oroho, Beach, Andrzejczak)** - Establishes program for cultivation, handling, processing, transport, and sale of hemp; repeals New Jersey Industrial Hemp Pilot Program.

**A5392 (Quijano, Murphy/Vitale, Scutari)** - Establishes new liability standards in sexual abuse lawsuits filed against public entities and public employees.

**A5595 (Milam, Houghtaling, Dancer, Wirths/Oroho, Pennacchio)** - Expands eligibility for EDA small business loan program to specifically include certain farming operations and qualified dairy farmers.

**S601 (Smith, Greenstein/Pinkin, McKeon)** - Establishes "New Jersey Solar Panel Recycling Commission."

**S781 (Sarlo, O'Scanlon/Giblin, DiMaso, Handlin)** - Revises penalties for certain violations of law by public movers and warehousemen.

**S984 (Vitale, Singleton/Conaway, Mukherji, Murphy)** - Establishes certain requirements, including allowable fees, for provision of medical records to patients, legally authorized representatives, and authorized third parties.

**S1109 (Ruiz/Munoz, Quijano)** - Renames "Physician Orders for Life-Sustaining Treatment Act" as "Practitioner Orders for Life-Sustaining Treatment Act"; permits physician assistants to sign and modify POLST forms; requires continuing education concerning end-of-life care.

**S1739 (Oroho, Andrzejczak/Land, Space, Milam)** - Renames county corrections officers as county correctional police officers.

**S2807 (Cryan, Cruz-Perez/Pinkin, Moriarty, Zwicker)** - Concerns service of food or refreshments on mortuary premises.

**S2858 (Gopal, Diegnan/Houghtaling, Downey, Johnson)** - Prohibits issuance of certain badges to NJT board members, PANYNJ commissioners, and local and State elected officials.

**S3212 (Ruiz, Rice/Pintor Marin, Holley)** - Permits municipalities to establish temporary supplemental zoning boards of adjustment to address application backlogs.

**S3334 (Diegnan, Vitale/Conaway, Pinkin)** - Exempts certain surgical technologists from general educational and training requirements.