

48:3-91.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2007 **CHAPTER:** 104

NJSA: 48:3-19.1 (Allows certain public entities to join with State for purchase of energy services)

BILL NO: S1448 (Substituted for A3926)

SPONSOR(S): Bark and others

DATE INTRODUCED: February 27, 2006

COMMITTEE: **ASSEMBLY:** Housing and Local Government

SENATE: Economic Growth

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** March 15, 2007

SENATE: June 21, 2007

DATE OF APPROVAL: June 28, 2007

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Second reprint enacted)

S1448

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **[ASSEMBLY:](#)** Yes

[SENATE:](#) Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3926

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **[ASSEMBLY:](#)** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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NEWSPAPER ARTICLES: No

IS 4/11/08

P.L. 2007, CHAPTER 104, *approved June 28, 2007*
Senate, No. 1448 (*Second Reprint*)

1 AN ACT concerning the procurement of certain electric and gas
2 services and supplementing P.L.1999, c.23 (C.48:3-49 et seq.).
3

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

7 1. a. The Division of Purchase and Property in the Department
8 of the Treasury, on behalf of any State agency ²or local government
9 unit², may enter into a written contract with a licensed electric
10 power supplier or a licensed gas supplier for the provision of
11 electric generation service, electric related service, gas supply
12 service, or gas related service for the facilities of a State agency ²or
13 local government unit,² or for the use of any government
14 aggregator.

15 As used in this ²[section] act², "State agency" means any agency
16 in the executive branch of the State government, including, but not
17 limited to, any department, board, bureau, commission, division,
18 office, council, or instrumentality thereof, or independent agency,
19 public authority or public benefit corporation, and any State college
20 or ²[university] public institution of higher education, and "local
21 government unit" means any government entity subject to the
22 requirements of the "Local Public Contracts Law," P.L.1971, c.198
23 (C.40A:11-1 et seq.), the "Public School Contracts Law,"
24 N.J.S.18A:18A-1 et seq., or the "County College Contracts Law,"
25 P.L.1982, c.189 (C.18A:64A-25.1 et seq.)².

26 b. The Division of Purchase and Property, prior to initiating the
27 process required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for
28 entering into a written contract for electric generation service,
29 electric related service, gas supply service or gas related service
30 pursuant to subsection a. of this section, may notify in writing each
31 State agency², local government unit² and government aggregator
32 of the Division of Purchase and Property's intent to enter into such a
33 contract, and offer the State agency², local government unit² and
34 government aggregator the opportunity to include in the contract the
35 provision of any combination of electric generation service, electric
36 related service, gas supply service, or gas related service from an
37 electric power supplier or a gas supplier, as appropriate, for the
38 State agency's², local government unit's² and government
39 aggregator's facilities. The Division of Purchase and Property shall
40 determine and provide to the State agency², local government unit²

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:

¹Senate SEG committee amendments adopted May 8, 2006.

²Assembly AHO committee amendments adopted January 18, 2007.

1 and government aggregator the requirements for participation in the
2 contract. Such requirements may include, but shall not be limited
3 to, minimum purchase limits, necessary data to be provided by each
4 participating State agency², local government unit² and government
5 aggregator, a timetable for the submission of data, and a form for
6 the submission of data.

7
8 2. Upon receiving the notification from the Division of Purchase
9 and Property pursuant to section 1 of this act, a State agency², local
10 government unit² or the governing body of a government aggregator
11 may request that the Division of Purchase and Property include the
12 State agency's², local government unit's² or government
13 aggregator's needs for such services in the proposed contract by
14 submitting the required information in a timely manner. The
15 Division of Purchase and Property may include in any proposed
16 contract the needs for the provision of electric generation service,
17 electric related service, gas supply service or gas related service
18 from an electric power supplier or a gas supplier, as appropriate, to
19 the facilities of any State agency², local government unit² or
20 government aggregator that satisfies the requirements established
21 pursuant to this act.

22
23 3. The Division of Purchase and Property in the Department of
24 the Treasury shall determine how best to contract for electric
25 generation service, electric related service, gas supply service or gas
26 related service from an electric power supplier or a gas supplier, as
27 appropriate, including the creation of one or more contracts for the
28 needs of State agencies and one or more separate contracts for
29 local government units or for² government aggregators, or any
30 combination of the foregoing¹, provided that each contract for
31 electric generation service entered with an electric power supplier
32 shall require the electric power supplier to meet or exceed the
33 percentages of electricity provided from Class I renewable energy
34 sources and Class II renewable energy sources as set forth in
35 section 38 of P.L.1999, c.23 (C.48:3-87)¹. The Director of the
36 Division of Purchase and Property shall have the discretion to use
37 electronic or other alternative forms of bidding in lieu of sealed
38 bids. The Division of Purchase and Property may charge a
39 reasonable administrative fee to cover the costs associated with the
40 bidding and administration of the contract or contracts.

41
42 4. The Division of Purchase and Property is authorized to
43 include in any contract, entered into after the effective date of this
44 act, for the provision of electric generation service, electric related
45 service, gas supply service or gas related service from an electric
46 power supplier or a gas supplier, as appropriate, provisions
47 allowing the Division of Purchase and Property to add the needs of

1 additional locations or facilities of a State agency², a local
2 government unit² or of a government aggregator at any time during
3 the contract, subject to such conditions as the State Treasurer deems
4 appropriate.

5

6 5. The State Treasurer may adopt regulations pursuant to the
7 "Administrative Procedure Act", P.L.1968, c.410 (C.52:14B-1 et
8 seq.) as are necessary to administer the provisions of this act.

9

10 6. This act shall take effect immediately.

11

12

13

14

15 _____
16 Allows certain public entities to join with State under certain
17 circumstances for purchase of certain energy services for their
facilities.

SENATE, No. 1448

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 27, 2006

Sponsored by:

Senator MARTHA W. BARK

District 8 (Burlington)

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

SYNOPSIS

Allows certain public entities to join with State under certain circumstances for purchase of certain energy services for their facilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/9/2006)

1 AN ACT concerning the procurement of certain electric and gas
2 services and supplementing P.L.1999, c.23 (C.48:3-49 et seq.).
3

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

7 1. a. The Division of Purchase and Property in the Department
8 of the Treasury, on behalf of any State agency, may enter into a
9 written contract with a licensed electric power supplier or a licensed
10 gas supplier for the provision of electric generation service, electric
11 related service, gas supply service, or gas related service for the
12 facilities of a State agency or for the use of any government
13 aggregator. As used in this section, "State agency" means any
14 agency in the executive branch of the State government, including,
15 but not limited to, any department, board, bureau, commission,
16 division, office, council, or instrumentality thereof, or independent
17 agency, public authority or public benefit corporation, and any State
18 college or university.

19 b. The Division of Purchase and Property, prior to initiating the
20 process required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for
21 entering into a written contract for electric generation service,
22 electric related service, gas supply service or gas related service
23 pursuant to subsection a. of this section, may notify in writing each
24 State agency and government aggregator of the Division of
25 Purchase and Property's intent to enter into such a contract, and
26 offer the State agency and government aggregator the opportunity
27 to include in the contract the provision of any combination of
28 electric generation service, electric related service, gas supply
29 service, or gas related service from an electric power supplier or a
30 gas supplier, as appropriate, for the State agency's and government
31 aggregator's facilities. The Division of Purchase and Property shall
32 determine and provide to the State agency and government
33 aggregator the requirements for participation in the contract. Such
34 requirements may include, but shall not be limited to, minimum
35 purchase limits, necessary data to be provided by each participating
36 State agency and government aggregator, a timetable for the
37 submission of data, and a form for the submission of data.
38

39 2. Upon receiving the notification from the Division of Purchase
40 and Property pursuant to section 1 of this act, a State agency or the
41 governing body of a government aggregator may request that the
42 Division of Purchase and Property include the State agency's or
43 government aggregator's needs for such services in the proposed
44 contract by submitting the required information in a timely manner.
45 The Division of Purchase and Property may include in any proposed
46 contract the needs for the provision of electric generation service,
47 electric related service, gas supply service or gas related service
48 from an electric power supplier or a gas supplier, as appropriate, to

1 the facilities of any State agency or government aggregator that
2 satisfies the requirements established pursuant to this act.

3
4 3. The Division of Purchase and Property in the Department of
5 the Treasury shall determine how best to contract for electric
6 generation service, electric related service, gas supply service or gas
7 related service from an electric power supplier or a gas supplier, as
8 appropriate, including the creation of one or more contracts for the
9 needs of State agencies and one or more separate contracts for
10 government aggregators, or any combination of the foregoing. The
11 Director of the Division of Purchase and Property shall have the
12 discretion to use electronic or other alternative forms of bidding in
13 lieu of sealed bids. The Division of Purchase and Property may
14 charge a reasonable administrative fee to cover the costs associated
15 with the bidding and administration of the contract or contracts.

16
17 4. The Division of Purchase and Property is authorized to
18 include in any contract, entered into after the effective date of this
19 act, for the provision of electric generation service, electric related
20 service, gas supply service or gas related service from an electric
21 power supplier or a gas supplier, as appropriate, provisions
22 allowing the Division of Purchase and Property to add the needs of
23 additional locations or facilities of a State agency or of a
24 government aggregator at any time during the contract, subject to
25 such conditions as the State Treasurer deems appropriate.

26
27 5. The State Treasurer may adopt regulations pursuant to the
28 "Administrative Procedure Act", P.L.1968, c.410 (C.52:14B-1 et
29 seq.) as are necessary to administer the provisions of this act.

30
31 6. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 This bill allows counties, municipalities and school districts to
37 join with the State for the purchase of any combination of electric
38 generation service, electric related service, gas supply service or gas
39 related service from an electric power supplier or a gas supplier, as
40 appropriate, for use by their own facilities. Under the bill, the
41 Division of Purchase and Property ("division") in the Department of
42 the Treasury on behalf of the State, prior to initiating the process
43 required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for entering
44 into a written contract for such services for the facilities of State
45 agencies, may notify in writing the governing body of a government
46 aggregator, as that term is defined in section 3 of P.L.1999, c.23
47 (C.48:3-51), of its intent to enter into such a contract, and offer the
48 government aggregator the opportunity to include in the contract the

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1 government aggregator's facilities for the provision of such
2 services.

3 The division is to determine and provide to the government
4 aggregator the requirements for participation in the contract. Such
5 requirements may include, but shall not be limited to, minimum
6 purchase limits, necessary data to be provided by each participating
7 government aggregator, a timetable for the submission of data, and
8 a form for the submission of data. The division is to determine how
9 best to contract for such services, including the creation of one or
10 more contracts for the needs of State agencies and one or more
11 separate contracts for government aggregators, or any combination
12 of the foregoing. The division may charge a reasonable
13 administrative fee to cover the costs associated with the bidding and
14 administration of the contract or contracts.

15 The bill authorizes the division to include in any contract,
16 entered into after the effective date of the bill, for the provision of
17 such services, provisions allowing the needs of additional locations
18 or facilities of a State agency or of a government aggregator to be
19 added at any time during the contract, subject to such conditions as
20 the State Treasurer deems appropriate.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 1448

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 18, 2007

The Assembly Housing and Local Government Committee reports favorably Senate Bill No.1448 (1R) with committee amendments.

This bill, as amended, allows State entities and agencies, which are defined to include public authorities, State colleges and public institutions of higher education, and in addition, allows local governmental units, which are defined to include municipalities, counties, school districts and county colleges, to join with the State for the purchase of any combination of electric generation service, electric related service, gas supply service or gas related service from an electric power supplier or a gas supplier, as appropriate, for use by their own facilities.

Under the bill as amended, the Division of Purchase and Property, prior to initiating the process required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for entering into a written contract for electric generation service, electric related service, gas supply service or gas related service pursuant to subsection a. of this section, may notify in writing each State agency, local government unit and government aggregator of the Division of Purchase and Property's intent to enter into such a contract, and offer the State agency, local government unit and government aggregator the opportunity to include in the contract the provision of any combination of electric generation service, electric related service, gas supply service, or gas related service from an electric power supplier or a gas supplier, as appropriate, for the State agency's, local government unit's and government aggregator's facilities. The Division of Purchase and Property shall determine and provide to the State agency, local government unit and government aggregator the requirements for participation in the contract. Such requirements may include, but shall not be limited to, minimum purchase limits, necessary data to be provided by each participating State agency, local government unit and government aggregator, a timetable for the submission of data, and a form for the submission of data. Thereafter, the Division of Purchase and Property may include

in any proposed contract the needs for the provision of electric generation service, electric related service, gas supply service or gas related service from an electric power supplier or a gas supplier, as appropriate, to the facilities of any State agency local government unit² or government aggregator that satisfies the requirements established pursuant to the bill.

This bill as amended is identical to A-3926 Aca, which was also released by the committee today.

Committee amendments

The committee amended the bill to expand the types of governmental entities eligible to participate in the contract for aggregation of services to include local government units, which are defined to mean any government entity subject to the requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), the "Public School Contracts Law," N.J.S.18A:18A-1 et seq., or the "County College Contracts Law," P.L.1982, c.189 (C.18A:64A-25.1 et seq, and includes municipalities, counties and local school boards. In addition, the amendments clarify that all public institutions of higher education are included in the group of governmental entities eligible to participate.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 1448

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 8, 2006

The Senate Economic Growth Committee reports favorably Senate Bill, No. 1448 with committee amendments.

This bill, as amended, allows counties, municipalities and school districts to join with the State for the purchase of any combination of electric generation service, electric related service, gas supply service or gas related service from an electric power supplier or a gas supplier, as appropriate, for use by their own facilities. Under the bill, the Division of Purchase and Property ("division") in the Department of the Treasury on behalf of the State, prior to initiating the process required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for entering into a written contract for such services for the facilities of State agencies, may notify in writing the governing body of a government aggregator, as that term is defined in section 3 of P.L.1999, c.23 (C.48:3-51), of its intent to enter into such a contract, and offer the government aggregator the opportunity to include in the contract the government aggregator's facilities for the provision of such services.

The division is to determine and provide to the government aggregator the requirements for participation in the contract. Such requirements may include, but shall not be limited to, minimum purchase limits, necessary data to be provided by each participating government aggregator, a timetable for the submission of data, and a form for the submission of data. The division is to determine how best to contract for such services, including the creation of one or more contracts for the needs of State agencies and one or more separate contracts for government aggregators, or any combination of the foregoing, provided that each contract for electric generation service entered with an electric power supplier shall require the electric power supplier to meet or exceed the percentages of electricity provided from Class I renewable energy sources and Class II renewable energy sources as set forth in section 38 of P.L.1999, c.23 (C.48:3-87). The division may charge a reasonable administrative fee to cover the costs associated with the bidding and administration of the contract or contracts.

The bill authorizes the division to include in any contract, entered into after the effective date of the bill, for the provision of such

services, provisions allowing the needs of additional locations or facilities of a State agency or of a government aggregator to be added at any time during the contract, subject to such conditions as the State Treasurer deems appropriate.

The committee amended the bill to direct the division, in determining how best to contract for such services, to provide that each contract for electric generation service entered with an electric power supplier shall require the electric power supplier to meet or exceed the percentages of electricity provided from Class I renewable energy sources and Class II renewable energy sources as set forth in section 38 of P.L.1999, c.23 (C.48:3-87).

ASSEMBLY, No. 3926

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 18, 2007

Sponsored by:

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Assemblyman JIM WHELAN

District 2 (Atlantic)

SYNOPSIS

Allows certain public entities to join with State under certain circumstances for purchase of certain energy services for their facilities.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the procurement of certain electric and gas
2 services and supplementing P.L.1999, c.23 (C.48:3-49 et seq.).
3

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

7 1. a. The Division of Purchase and Property in the Department
8 of the Treasury, on behalf of any State agency, may enter into a
9 written contract with a licensed electric power supplier or a licensed
10 gas supplier for the provision of electric generation service, electric
11 related service, gas supply service, or gas related service for the
12 facilities of a State agency or for the use of any government
13 aggregator. As used in this section, "State agency" means any
14 agency in the executive branch of the State government, including,
15 but not limited to, any department, board, bureau, commission,
16 division, office, council, or instrumentality thereof, or independent
17 agency, public authority or public benefit corporation, and any State
18 college or university.

19 b. The Division of Purchase and Property, prior to initiating the
20 process required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for
21 entering into a written contract for electric generation service,
22 electric related service, gas supply service or gas related service
23 pursuant to subsection a. of this section, may notify in writing each
24 State agency and government aggregator of the Division of
25 Purchase and Property's intent to enter into such a contract, and
26 offer the State agency and government aggregator the opportunity
27 to include in the contract the provision of any combination of
28 electric generation service, electric related service, gas supply
29 service, or gas related service from an electric power supplier or a
30 gas supplier, as appropriate, for the State agency's and government
31 aggregator's facilities. The Division of Purchase and Property shall
32 determine and provide to the State agency and government
33 aggregator the requirements for participation in the contract. Such
34 requirements may include, but shall not be limited to, minimum
35 purchase limits, necessary data to be provided by each participating
36 State agency and government aggregator, a timetable for the
37 submission of data, and a form for the submission of data.
38

39 2. Upon receiving the notification from the Division of Purchase
40 and Property pursuant to section 1 of this act, a State agency or the
41 governing body of a government aggregator may request that the
42 Division of Purchase and Property include the State agency's or
43 government aggregator's needs for such services in the proposed
44 contract by submitting the required information in a timely manner.
45 The Division of Purchase and Property may include in any proposed
46 contract the needs for the provision of electric generation service,
47 electric related service, gas supply service or gas related service
48 from an electric power supplier or a gas supplier, as appropriate, to

1 the facilities of any State agency or government aggregator that
2 satisfies the requirements established pursuant to this act.

3
4 3. The Division of Purchase and Property in the Department of
5 the Treasury shall determine how best to contract for electric
6 generation service, electric related service, gas supply service or gas
7 related service from an electric power supplier or a gas supplier, as
8 appropriate, including the creation of one or more contracts for the
9 needs of State agencies and one or more separate contracts for
10 government aggregators, or any combination of the foregoing ,
11 provided that each contract for electric generation service entered
12 with an electric power supplier shall require the electric power
13 supplier to meet or exceed the percentages of electricity provided
14 from Class I renewable energy sources and Class II renewable
15 energy sources as set forth in section 38 of P.L.1999, c.23 (C.48:3-
16 87). The Director of the Division of Purchase and Property shall
17 have the discretion to use electronic or other alternative forms of
18 bidding in lieu of sealed bids. The Division of Purchase and
19 Property may charge a reasonable administrative fee to cover the
20 costs associated with the bidding and administration of the contract
21 or contracts.

22
23 4. The Division of Purchase and Property is authorized to
24 include in any contract, entered into after the effective date of this
25 act, for the provision of electric generation service, electric related
26 service, gas supply service or gas related service from an electric
27 power supplier or a gas supplier, as appropriate, provisions
28 allowing the Division of Purchase and Property to add the needs of
29 additional locations or facilities of a State agency or of a
30 government aggregator at any time during the contract, subject to
31 such conditions as the State Treasurer deems appropriate.

32
33 5. The State Treasurer may adopt regulations pursuant to the
34 "Administrative Procedure Act", P.L.1968, c.410 (C.52:14B-1 et
35 seq.) as are necessary to administer the provisions of this act.

36
37 6. This act shall take effect immediately.

38
39
40 STATEMENT

41
42 This bill allows counties, municipalities and school districts to
43 join with the State for the purchase of any combination of electric
44 generation service, electric related service, gas supply service or gas
45 related service from an electric power supplier or a gas supplier, as
46 appropriate, for use by their own facilities. Under the bill, the
47 Division of Purchase and Property ("division") in the Department of
48 the Treasury on behalf of the State, prior to initiating the process

1 required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for entering
2 into a written contract for such services for the facilities of State
3 agencies, may notify in writing the governing body of a government
4 aggregator, as that term is defined in section 3 of P.L.1999, c.23
5 (C.48:3-51), of its intent to enter into such a contract, and offer the
6 government aggregator the opportunity to include in the contract the
7 government aggregator's facilities for the provision of such
8 services.

9 The division is to determine and provide to the government
10 aggregator the requirements for participation in the contract. Such
11 requirements may include, but shall not be limited to, minimum
12 purchase limits, necessary data to be provided by each participating
13 government aggregator, a timetable for the submission of data, and
14 a form for the submission of data. The division is to determine how
15 best to contract for such services, including the creation of one or
16 more contracts for the needs of State agencies and one or more
17 separate contracts for government aggregators, or any combination
18 of the foregoing, provided that each contract for electric generation
19 service entered with an electric power supplier shall require the
20 electric power supplier to meet or exceed the percentages of
21 electricity provided from Class I renewable energy sources and
22 Class II renewable energy sources as set forth in section 38 of
23 P.L.1999, c.23 (C.48:3-87). The division may charge a reasonable
24 administrative fee to cover the costs associated with the bidding and
25 administration of the contract or contracts.

26 The bill authorizes the division to include in any contract entered
27 into after the effective date of the bill for the provision of such
28 services, provisions allowing the needs of additional locations or
29 facilities of a State agency or of a government aggregator to be
30 added at any time during the contract, subject to such conditions as
31 the State Treasurer deems appropriate.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3926

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 18, 2007

The Assembly Housing and Local Government Committee reports favorably Assembly Bill No. 3926 with committee amendments.

This bill, as amended, allows State entities and agencies, which are defined to include public authorities, State colleges and public institutions of higher education, and in addition, allows local governmental units, which are defined to include municipalities, counties, school districts and county colleges, to join with the State for the purchase of any combination of electric generation service, electric related service, gas supply service or gas related service from an electric power supplier or a gas supplier, as appropriate, for use by their own facilities.

Under the bill as amended, the Division of Purchase and Property, prior to initiating the process required pursuant to P.L.1954, c.48 (C.52:34-6 et seq.) for entering into a written contract for electric generation service, electric related service, gas supply service or gas related service pursuant to subsection a. of this section, may notify in writing each State agency, local government unit and government aggregator of the Division of Purchase and Property's intent to enter into such a contract, and offer the State agency, local government unit and government aggregator the opportunity to include in the contract the provision of any combination of electric generation service, electric related service, gas supply service, or gas related service from an electric power supplier or a gas supplier, as appropriate, for the State agency's, local government unit's and government aggregator's facilities. The Division of Purchase and Property shall determine and provide to the State agency, local government unit and government aggregator the requirements for participation in the contract. Such requirements may include, but shall not be limited to, minimum purchase limits, necessary data to be provided by each participating State agency, local government unit and government aggregator, a timetable for the submission of data, and a form for the submission of data. Thereafter, the Division of Purchase and Property may include in any proposed contract the needs for the provision of electric

generation service, electric related service, gas supply service or gas related service from an electric power supplier or a gas supplier, as appropriate, to the facilities of any State agency local government unit or government aggregator that satisfies the requirements established pursuant to the bill.

This bill as amended by the committee, is identical to S.1448 [1R] Aca, which was also released by the committee today.

Committee amendments

The committee amended the bill to expand the types of governmental entities eligible to participate in the contract for aggregation of services to include local government units, which are defined to mean any government entity subject to the requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), the "Public School Contracts Law," N.J.S.18A:18A-1 et seq., or the "County College Contracts Law," P.L.1982, c.189 (C.18A:64A-25.1 et seq, and includes municipalities, counties and local school boards. In addition, the amendments clarify that all public institutions of higher education are included in the group of governmental entities eligible to participate.