

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH 6/4/08

P.L. 2007, CHAPTER 305, *approved January 13, 2008*
Assembly, No. 357 (*Second Reprint*)

1 AN ACT concerning alternative electrical energy and supplementing
2 P.L.1999, c.23 (C.48:3-49 et al).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The State, prior to initiating the process required pursuant
8 to P.L.1954, c.48 (C.52:34-6 et seq.) for entering into a written
9 contract for the provision of alternative electrical energy systems,
10 shall notify in writing ²or through electronic mail² the governing
11 body of each ²[county] local government contracting unit² of its
12 intent to enter into such a contract. Upon receiving the notification,
13 the governing body of the ²[county] local government contracting
14 unit² may request that the State include in the proposed contract the
15 provision of alternative electrical energy systems for ²[its own use
16 or]² the use of ²[a municipality or school district within that
17 county's jurisdiction provided that any such municipality or school
18 district has expressed, in writing to the governing body of the
19 county, its request to join such contract] the local government
20 contracting unit². The State may include in any proposed contract
21 for the provision of alternative electrical energy systems the
22 facilities of any ²[county, municipality or school district] local
23 government contracting unit² which ²[have] has² requested the
24 State to do so pursuant to this act if such inclusion may be
25 accomplished within the State's schedule for entering into the
26 contract.

27 The State Treasurer shall consult with the Board of Public
28 Utilities and the Commissioner of Environmental Protection
29 regarding the technical sufficiency of alternative electrical energy
30 systems for purposes of inclusion in the proposed contract.

31 b. As used in this section:

32 "Alternative electrical energy" means ¹[electrical energy
33 produced from solar, photovoltaic, wind, geothermal, or biomass
34 technologies, provided that in the case of biomass technology, the
35 biomass is cultivated and harvested in a sustainable manner] Class I
36 renewable energy as that term is defined in section 3 of P.L.1999,
37 c.23 (C.48:3-51)¹; ²[and]²

38 "Alternative electrical energy system" means any system which
39 uses alternative electrical energy to provide all or a portion of the
40 electricity for the heating, cooling, or general electrical energy
41 needs of a building ²; and

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:

¹Assembly ATU committee amendments adopted March 6, 2006.

²Senate SEG committee amendments adopted December 3, 2007.

1 “Local government contracting unit” means any county,
2 municipality, local authority, public school district, or county
3 college².

4

5 2. This act shall take effect immediately.

6

7

8

9

10 Allows counties, municipalities and school districts to join with
11 the State under certain circumstances for provision of alternative
12 electrical energy systems.

ASSEMBLY, No. 357

STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman LARRY CHATZIDAKIS

District 8 (Burlington)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

SYNOPSIS

Allows counties, municipalities and school districts to join with the State under certain circumstances for acquisition of alternative electrical energy systems.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 3/3/2006)

1 AN ACT concerning alternative electrical energy and supplementing
2 P.L.1999, c.23 (C.48:3-49 et al).

3

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

6

7 1. a. The State, prior to initiating the process required pursuant
8 to P.L.1954, c.48 (C.52:34-6 et seq.) for entering into a written
9 contract for the provision of alternative electrical energy systems,
10 shall notify in writing the governing body of each county of its
11 intent to enter into such a contract. Upon receiving the notification,
12 the governing body of the county may request that the State include
13 in the proposed contract the provision of alternative electrical
14 energy systems for its own use or the use of a municipality or
15 school district within that county's jurisdiction provided that any
16 such municipality or school district has expressed, in writing to the
17 governing body of the county, its request to join such contract. The
18 State may include in any proposed contract for the provision of
19 alternative electrical energy systems the facilities of any county,
20 municipality or school district which have requested the State to do
21 so pursuant to this act if such inclusion may be accomplished within
22 the State's schedule for entering into the contract.

23 The State Treasurer shall consult with the Board of Public
24 Utilities and the Commissioner of Environmental Protection
25 regarding the technical sufficiency of alternative electrical energy
26 systems for purposes of inclusion in the proposed contract.

27 b. As used in this section:

28 "Alternative electrical energy" means electrical energy produced
29 from solar, photovoltaic, wind, geothermal, or biomass
30 technologies, provided that in the case of biomass technology, the
31 biomass is cultivated and harvested in a sustainable manner; and

32 "Alternative electrical energy system" means any system which
33 uses alternative electrical energy to provide all or a portion of the
34 electricity for the heating, cooling, or general electrical energy
35 needs of a building.

36

37 2. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill would require the State to allow county governments to
43 join with the State in its contracts for the acquisition of alternative
44 electrical energy systems. The bill would require the State, prior to
45 initiating the process required pursuant to P.L.1954, c.48 (C.52:34-
46 6 et seq.) for entering into a written contract with an electric power
47 supplier for the acquisition of alternative electrical energy systems
48 for its own facilities, to notify in writing the governing body of each

1 county of its intent to enter into such a contract. Upon receiving the
2 notification, the governing body of the county could request that the
3 State include in the proposed contract the acquisition of alternative
4 electrical energy systems for its own use or the use of a
5 municipality or school district within that county's jurisdiction
6 provided that any such municipality or school district has expressed
7 in writing its request to join such contract. The bill authorizes the
8 State to include in any proposed contract for the acquisition of
9 alternative electrical energy systems the facilities of any county,
10 municipality or school district which have requested the State to do
11 so if such inclusion may be accomplished with the State's schedule
12 for entering into the contract.

13 The bill defines alternative electrical energy as electrical energy
14 produced from solar technologies, photovoltaic technologies, wind
15 technologies, geothermal technologies, or biomass technologies;
16 provided, in the case of biomass technologies, that the biomass is
17 cultivated and harvested in a sustainable manner, and defines
18 alternative electrical energy system as any system which uses
19 alternative electrical energy to provide all or a portion of the
20 electricity for the heating, cooling, or general electrical energy
21 needs of a building.

22 The bill requires the Treasurer to consult with the Board of
23 Public Utilities and the Commissioner of Environmental Protection
24 with respect to the technical sufficiency of alternative electrical
25 energy systems for the purposes of qualification for inclusion in the
26 proposed contract.

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 357

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 6, 2006

The Assembly Telecommunications and Utilities Committee reports favorably and with committee amendments Assembly Bill No. 357.

As amended, this bill would require the State to allow county governments to join with the State in its contracts for the provision of alternative electrical energy systems. The bill would require 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 with an electric power supplier for the provision of alternative electrical energy systems for its own facilities, to notify in writing the governing body of each county of its intent to enter into such a contract. Upon receiving the notification, the governing body of the county could request that the State include in the proposed contract the provision of alternative electrical energy systems for its own use or the use of a municipality or school district within that county's jurisdiction provided that any such municipality or school district has expressed in writing its request to join such contract. The bill authorizes the State to include in any proposed contract for the provision of alternative electrical energy systems the facilities of any county, municipality or school district which have requested the State to do so if such inclusion may be accomplished with the State's schedule for entering into the contract.

As amended, the bill defines alternative electrical energy as "Class I renewable energy" as defined in N.J.S.A.48:3-51, and defines alternative electrical energy system as any system which uses alternative electrical energy to provide all or a portion of the electricity for the heating, cooling, or general electrical energy needs of a building.

The bill requires the Treasurer to consult with the Board of Public Utilities and the Commissioner of Environmental Protection with respect to the technical sufficiency of alternative electrical energy systems for the purposes of qualification for inclusion in the proposed contract.

The committee amended the bill to update the definition of "alternative electrical energy" to mean Class I renewable energy as that term is defined in section 3 of P.L.1999, c.23 (C.48:3-51).

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 357

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 2007

The Senate Economic Growth Committee reports favorably Assembly Bill No. 357 (1R) with committee amendments.

This bill, as amended, would require the State to allow a local government contracting unit (i.e., a county, municipality, local authority, public school district or county college) to join with the State in its contracts for the acquisition of alternative electrical energy systems. The amended bill would require 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 with an electric power supplier for the acquisition of alternative electrical energy systems, to notify in writing or through electronic mail the governing body of each local government contracting unit of its intent to enter into such a contract. Upon receiving the notification, the governing body of the local government contracting unit could request that the State include in the proposed contract the acquisition of alternative electrical energy systems for the use of the local government contracting unit. The bill authorizes the State to include in any proposed contract for the acquisition of alternative electrical energy systems the facilities of any local government contracting unit which has requested the State to do so if such inclusion may be accomplished with the State's schedule for entering into the contract.

The bill, as amended, defines: 1) "alternative electrical energy" as "Class I renewable energy" as defined in N.J.S.A.48:3-51, 2) "alternative electrical energy system" as any system which uses alternative electrical energy to provide all or a portion of the electricity for the heating, cooling, or general electrical energy needs of a building; and 3) "local government contracting unit" as any county, municipality, local authority, public school district, or county college.

The bill requires the Treasurer to consult with the Board of Public Utilities and the Commissioner of Environmental Protection with respect to the technical sufficiency of alternative electrical energy systems for the purposes of qualification for inclusion in the proposed contract.

The committee amended the bill to: 1) allow the State to notify through electronic mail the governing body of each local government contracting unit of its intent to enter into such a contract; 2) replace a county with a local government contracting unit as the entity involved to be notified and included in the contract; and 3) include a definition of the term “local government contracting unit.”

As amended and reported by the committee, Assembly Bill No. 357 (1R) is identical to Senate Bill No. 351 which was also amended and reported by the committee on this date.

SENATE, No. 351

STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:
Senator MARTHA W. BARK
District 8 (Burlington)

SYNOPSIS

Allows counties, municipalities and school districts to join with the State under certain circumstances for acquisition of alternative electrical energy systems.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



S351 BARK

1 AN ACT concerning alternative electrical energy and supplementing
2 P.L.1999, c.23 (C.48:3-49 et al).

3

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

6

7 1. a. The State, prior to initiating the process required pursuant
8 to P.L.1954, c.48 (C.52:34-6 et seq.) for entering into a written
9 contract for the provision of alternative electrical energy systems,
10 shall notify in writing the governing body of each county of its
11 intent to enter into such a contract. Upon receiving the notification,
12 the governing body of the county may request that the State include
13 in the proposed contract the provision of alternative electrical
14 energy systems for its own use or the use of a municipality or
15 school district within that county's jurisdiction provided that any
16 such municipality or school district has expressed, in writing to the
17 governing body of the county, its request to join such contract. The
18 State may include in any proposed contract for the provision of
19 alternative electrical energy systems the facilities of any county,
20 municipality or school district which have requested the State to do
21 so pursuant to this act if such inclusion may be accomplished within
22 the State's schedule for entering into the contract.

23 The State Treasurer shall consult with the Board of Public
24 Utilities and the Commissioner of Environmental Protection
25 regarding the technical sufficiency of alternative electrical energy
26 systems for purposes of inclusion in the proposed contract.

27 b. As used in this section:

28 "Alternative electrical energy" means electrical energy produced
29 from solar, photovoltaic, wind, geothermal, or biomass
30 technologies, provided that in the case of biomass technology, the
31 biomass is cultivated and harvested in a sustainable manner; and

32 "Alternative electrical energy system" means any system which
33 uses alternative electrical energy to provide all or a portion of the
34 electricity for the heating, cooling, or general electrical energy
35 needs of a building.

36

37 2. This act shall take effect immediately.

38

39

40 STATEMENT

41

42 This bill would require the State to allow county governments to
43 join with the State in its contracts for the acquisition of alternative
44 electrical energy systems. The bill would require the State, prior to
45 initiating the process required pursuant to P.L.1954, c.48 (C.52:34-
46 6 et seq.) for entering into a written contract with an electric power
47 supplier for the acquisition of alternative electrical energy systems
48 for its own facilities, to notify in writing the governing body of each

S351 BARK

1 county of its intent to enter into such a contract. Upon receiving the
2 notification, the governing body of the county could request that the
3 State include in the proposed contract the acquisition of alternative
4 electrical energy systems for its own use or the use of a
5 municipality or school district within that county's jurisdiction
6 provided that any such municipality or school district has expressed
7 in writing its request to join such contract. The bill authorizes the
8 State to include in any proposed contract for the acquisition of
9 alternative electrical energy systems the facilities of any county,
10 municipality or school district which have requested the State to do
11 so if such inclusion may be accomplished with the State's schedule
12 for entering into the contract.

13 The bill defines alternative electrical energy as electrical energy
14 produced from solar technologies, photovoltaic technologies, wind
15 technologies, geothermal technologies, or biomass technologies;
16 provided, in the case of biomass technologies, that the biomass is
17 cultivated and harvested in a sustainable manner, and defines
18 alternative electrical energy system as any system which uses
19 alternative electrical energy to provide all or a portion of the
20 electricity for the heating, cooling, or general electrical energy
21 needs of a building.

22 The bill requires the Treasurer to consult with the Board of
23 Public Utilities and the Commissioner of Environmental Protection
24 with respect to the technical sufficiency of alternative electrical
25 energy systems for the purposes of qualification for inclusion in the
26 proposed contract.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 351

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 2007

The Senate Economic Growth Committee reports favorably Senate Bill No. 351 with committee amendments.

This bill, as amended, would require the State to allow a local government contracting unit (i.e., a county, municipality, local authority, public school district or county college) to join with the State in its contracts for the acquisition of alternative electrical energy systems. The amended bill would require 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 with an electric power supplier for the acquisition of alternative electrical energy systems, to notify in writing or through electronic mail the governing body of each local government contracting unit of its intent to enter into such a contract. Upon receiving the notification, the governing body of the local government contracting unit could request that the State include in the proposed contract the acquisition of alternative electrical energy systems for the use of the local government contracting unit. The bill authorizes the State to include in any proposed contract for the acquisition of alternative electrical energy systems the facilities of any local government contracting unit which has requested the State to do so if such inclusion may be accomplished with the State's schedule for entering into the contract.

The bill, as amended, defines: 1) "alternative electrical energy" as "Class I renewable energy" as defined in N.J.S.A.48:3-51, 2) "alternative electrical energy system" as any system which uses alternative electrical energy to provide all or a portion of the electricity for the heating, cooling, or general electrical energy needs of a building; and 3) "local government contracting unit" as any county, municipality, local authority, public school district, or county college.

The bill requires the Treasurer to consult with the Board of Public Utilities and the Commissioner of Environmental Protection with respect to the technical sufficiency of alternative electrical energy systems for the purposes of qualification for inclusion in the proposed contract.

The committee amended the bill to: 1) allow the State to notify through electronic mail the governing body of each local government

contracting unit of its intent to enter into such a contract; 2) replace a county with a local government contracting unit as the entity involved to be notified and included in the contract; 3) update the definition of "alternative electrical energy" to mean Class I renewable energy as that term is defined in section 3 of P.L.1999, c.23 (C.48:3-51); and 4) include a definition of the term "local government contracting unit."

As amended and reported by the committee, Senate Bill No. 351 is identical to Assembly Bill No. 357 (1R) which was also amended and reported by the committee on this date.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.