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LAW/RWH

[First Reprint]

**ASSEMBLY, No. 795**

**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

**Sponsored by:**

**Assemblyman REED GUSCIORA**

**District 15 (Mercer)**

**Assemblyman DOUGLAS H. FISHER**

**District 3 (Salem, Cumberland and Gloucester)**

**Co-Sponsored by:**

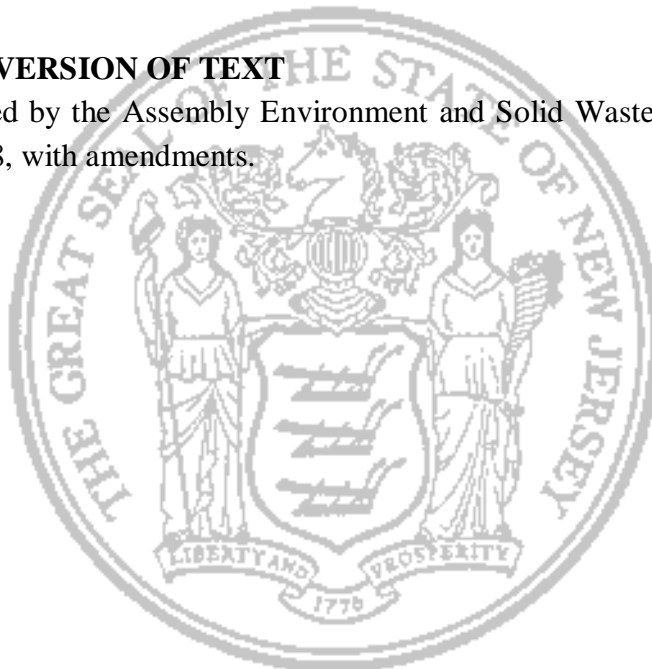
**Assemblywoman Greenstein, Senators Kyrillos, Madden and Ruiz**

**SYNOPSIS**

Requires DEP Commissioner to establish list and recognition program for certain environmentally responsible companies.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Environment and Solid Waste Committee on May 12, 2008, with amendments.



**(Sponsorship Updated As Of: 1/12/2010)**

1 AN ACT <sup>1</sup>【concerning recognition of】 establishing a program to  
2 recognize<sup>1</sup> certain businesses, companies, or corporations in the  
3 State providing environmental benefits to the State and  
4 supplementing Title 13 <sup>1</sup>【and Title 52】<sup>1</sup> of the Revised Statutes.

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

8  
9 1. a. The Commissioner of Environmental Protection shall  
10 establish a list of businesses, companies, and corporations in the  
11 State that are, as determined by the commissioner, environmentally  
12 responsible <sup>1</sup>【, and, shall provide the list, and each update of the  
13 list, to the State Treasurer and the Director of the Division of  
14 Purchase and Property in the Department of the Treasury】<sup>1</sup> . In  
15 making this determination , the <sup>1</sup>【Commissioner of Environmental  
16 Protection】 commissioner<sup>1</sup> , at a minimum, shall evaluate a  
17 business, company <sup>1</sup>,<sup>1</sup> or corporation on the basis of the following:

18 (1) the contribution of the business, company <sup>1</sup>,<sup>1</sup> or corporation  
19 to the improved environment of the State, especially any  
20 contribution to environmental education and awareness in the State;  
21 the reduction of air and water pollution and the preservation of  
22 natural resources; the implementation of policies, procedures, or  
23 technologies to reduce, replace, or minimize the environmental  
24 impact of toxic materials and substances used in manufacturing  
25 processes or other applications; the increased use of recycled  
26 materials, energy conservation, or alternative forms of energy or  
27 fuel with environmental benefits; and the implementation of open  
28 space preservation, habitat protection, or responsible land use  
29 policies and projects;

30 (2) the extent to which these contributions are in addition to  
31 steps the business, company, or corporation is required to take in  
32 these areas due to local, State, or federal requirements; and

33 (3) the use of innovative policies, procedures, and technologies  
34 that result in sound environmental practices and important  
35 environmental benefits for the State.

36 <sup>1</sup>【The Commissioner of Environmental Protection shall update  
37 the list on an annual basis, or as frequently as requested by the State  
38 Treasurer and the Director of the Division of Purchase and  
39 Property, who shall each request such updates as frequently as each  
40 determines is necessary for the implementation of this act. The  
41 business, companies, and corporations on the list established  
42 pursuant to this subsection shall be eligible for recognition pursuant  
43 to subsection b. of this section and may be given preference in the

**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>Assembly AEN committee amendments adopted May 12, 2008.

1 awarding of a State contract pursuant to section 2 of this act] The  
2 list established pursuant to this subsection shall be displayed  
3 prominently on the Department of Environmental Protection's  
4 website, and shall be updated as appropriate<sup>1</sup> .

5 b. In addition to designating businesses, companies, or  
6 corporations as environmentally responsible pursuant to subsection  
7 a. of this section, the Commissioner of Environmental Protection  
8 shall periodically <sup>1</sup>[award certificates of] provide public<sup>1</sup>  
9 recognition to <sup>1</sup>those<sup>1</sup> businesses, companies, or corporations in the  
10 State that, as determined by the commissioner, have exhibited  
11 exemplary attention to, and concern for, the environment in their  
12 business practices, policies, procedures or goods, as evidenced by  
13 their contribution to the improved environment of the State and use  
14 of innovative policies, procedures, and technologies that result in  
15 sound environmental practices and important environmental  
16 benefits for the State. <sup>1</sup>This recognition may be in the form of the  
17 award of certificates, press announcements, or other forms of  
18 recognition the commissioner deems appropriate to highlight the  
19 achievements of these businesses, companies, or corporations. The  
20 commissioner may also create a logo which businesses, companies,  
21 or corporations who have been recognized as environmentally  
22 responsible may use in the promotion of that business, company, or  
23 corporation.<sup>1</sup>

24 c. Any business, company, or corporation in the State that makes  
25 a contribution to the improved environment of the State or  
26 implements innovative policies, procedures <sup>1,1</sup> or technologies,  
27 above and beyond the scope of those measures required pursuant to  
28 local, State, or federal requirements, may submit to the  
29 Commissioner of Environmental Protection documentation of these  
30 contributions or the implementation of these measures, how the  
31 measures constitute environmental measures above and beyond the  
32 scope of those measures required pursuant to local, State, or federal  
33 requirements, and the environmental benefit gained by the State  
34 from these contributions or the implementation of the measures.  
35 The <sup>1</sup>[Commissioner of Environmental Protection] commissioner<sup>1</sup>  
36 shall review the submitted documentation and determine if the  
37 business, company <sup>1,1</sup> or corporation should be included in the list  
38 established pursuant to subsection a. of this section, and if the  
39 business, company <sup>1,1</sup> or corporation should be further recognized  
40 for its achievements pursuant to subsection b. of this section.

41 d. <sup>1</sup>The list and the recognition program established pursuant to  
42 subsections a. and b. of this section may be known as the  
43 "Environmental Stewardship Program."

44 e.<sup>1</sup> The Commissioner of Environmental Protection may adopt,  
45 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
46 (C.52:14B-1 et seq.), any rules and regulations necessary for the

1 implementation of this section, including, but not limited to,  
2 provisions establishing the criteria for designation as an  
3 environmentally responsible business, company, or corporation,  
4 'and' for award of certificates of recognition to exemplary  
5 businesses, companies, or corporations. Any rules and regulations  
6 adopted pursuant to this subsection shall include, at a minimum, the  
7 evaluation criteria provided in subsection a. of this section.

8  
9 '[2. a. Notwithstanding any other provision of State law, or any  
10 rule or regulation adopted pursuant thereto, to the contrary, the  
11 Director of the Division of Purchase and Property in the Department  
12 of the Treasury, the Director of the Division of Property  
13 Management and Construction in the Department of the Treasury,  
14 or any State agency having authority to contract for the purchase of  
15 goods and services, shall wherever possible give preference to  
16 goods and services provided by a business, company, or corporation  
17 on the list established pursuant to subsection a. of section 1 of this  
18 act.

19 In preparing the specifications for any contract for the purchase  
20 of goods and services, including but not limited to a contract for the  
21 construction, improvement, or maintenance of any public work, the  
22 Director of the Division of Purchase and Property, the Director of  
23 the Division of Property Management and Construction, or any  
24 State agency having authority to contract for the purchase of goods  
25 or services shall include in the invitation to bid, where relevant, a  
26 statement that any response to the invitation that proposes or calls  
27 for the use of goods or services provided by a business, company,  
28 or corporation on the list established pursuant to subsection a. of  
29 section 1 of this act shall receive preference whenever possible.

30 Any preference provided pursuant to this subsection may not  
31 supersede any preference given to recycled paper and paper  
32 products pursuant to P.L.1987, c.102 (C.13:1E-99.11 et seq.) or  
33 other preferences provided pursuant to other provisions of law that  
34 establish a preference for goods or services with significant  
35 environmental benefit, as determined by the Commissioner of  
36 Environmental Protection.

37 b. The provisions of subsection a. of this section shall not apply:  
38 (1) to any binding contractual obligations for the purchase of  
39 goods or services entered into prior to the effective date of this act;  
40 (2) to bid packages advertised and made available to the public,  
41 or to any competitive and sealed bids received by the State, prior to  
42 the effective date of this act; or  
43 (3) to any amendment, modification, or renewal of a contract,  
44 which contract was entered into prior to the effective date of this act  
45 where the application would delay timely completion of a project or  
46 involve an increase in the total moneys to be paid by the State under  
47 that contract.

1 c. The State Treasurer, in consultation with the Commissioner of  
2 Environmental Protection, shall establish a procedure for resolving  
3 any dispute that may arise from the awarding of a public contract by  
4 the State pursuant to subsection a. and subsection b. of this  
5 section. ]<sup>1</sup>

6

7 <sup>1</sup>[3.] 2.<sup>1</sup> This act shall take effect immediately.

**ASSEMBLY, No. 795**

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**STATE OF NEW JERSEY**

**213th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

**Sponsored by:**

**Assemblyman REED GUSCIORA**

**District 15 (Mercer)**

**Assemblyman DOUGLAS H. FISHER**

**District 3 (Salem, Cumberland and Gloucester)**

**Co-Sponsored by:**

**Assemblywoman Greenstein**

**SYNOPSIS**

Requires DEP Commissioner to establish list of environmentally responsible companies and recognition program for certain exemplary companies; requires companies on list be given preference whenever possible in the awarding of State contracts.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel





1 AN ACT concerning recognition of certain businesses, companies,  
2 or corporations in the State providing environmental benefits to  
3 the State and supplementing Title 13 and Title 52 of the Revised  
4 Statutes.

5

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

8

9 1. a. The Commissioner of Environmental Protection shall  
10 establish a list of businesses, companies, and corporations in the  
11 State that are, as determined by the commissioner, environmentally  
12 responsible, and, shall provide the list, and each update of the list,  
13 to the State Treasurer and the Director of the Division of Purchase  
14 and Property in the Department of the Treasury. In making this  
15 determination, the Commissioner of Environmental Protection, at a  
16 minimum, shall evaluate a business, company or corporation on the  
17 basis of the following:

18 (1) the contribution of the business, company or corporation to  
19 the improved environment of the State, especially any contribution  
20 to environmental education and awareness in the State; the  
21 reduction of air and water pollution and the preservation of natural  
22 resources; the implementation of policies, procedures, or  
23 technologies to reduce, replace, or minimize the environmental  
24 impact of toxic materials and substances used in manufacturing  
25 processes or other applications; the increased use of recycled  
26 materials, energy conservation, or alternative forms of energy or  
27 fuel with environmental benefits; and the implementation of open  
28 space preservation, habitat protection, or responsible land use  
29 policies and projects;

30 (2) the extent to which these contributions are in addition to  
31 steps the business, company, or corporation is required to take in  
32 these areas due to local, State, or federal requirements; and

33 (3) the use of innovative policies, procedures, and technologies  
34 that result in sound environmental practices and important  
35 environmental benefits for the State.

36 The Commissioner of Environmental Protection shall update the  
37 list on an annual basis, or as frequently as requested by the State  
38 Treasurer and the Director of the Division of Purchase and  
39 Property, who shall each request such updates as frequently as each  
40 determines is necessary for the implementation of this act. The  
41 business, companies, and corporations on the list established  
42 pursuant to this subsection shall be eligible for recognition pursuant  
43 to subsection b. of this section and may be given preference in the  
44 awarding of a State contract pursuant to section 2 of this act.

45 b. In addition to designating businesses, companies, or  
46 corporations as environmentally responsible pursuant to subsection  
47 a. of this section, the Commissioner of Environmental Protection  
48 shall periodically award certificates of recognition to businesses,

1 companies, or corporations in the State that, as determined by the  
2 commissioner, have exhibited exemplary attention to, and concern  
3 for, the environment in their business practices, policies, procedures  
4 or goods, as evidenced by their contribution to the improved  
5 environment of the State and use of innovative policies, procedures,  
6 and technologies that result in sound environmental practices and  
7 important environmental benefits for the State.

8 c. Any business, company, or corporation in the State that makes  
9 a contribution to the improved environment of the State or  
10 implements innovative policies, procedures or technologies, above  
11 and beyond the scope of those measures required pursuant to local,  
12 State, or federal requirements, may submit to the Commissioner of  
13 Environmental Protection documentation of these contributions or  
14 the implementation of these measures, how the measures constitute  
15 environmental measures above and beyond the scope of those  
16 measures required pursuant to local, State, or federal requirements,  
17 and the environmental benefit gained by the State from these  
18 contributions or the implementation of the measures. The  
19 Commissioner of Environmental Protection shall review the  
20 submitted documentation and determine if the business, company or  
21 corporation should be included in the list established pursuant to  
22 subsection a. of this section, and if the business, company or  
23 corporation should be further recognized for its achievements  
24 pursuant to subsection b. of this section.

25 d. The Commissioner of Environmental Protection may adopt,  
26 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
27 (C.52:14B-1 et seq.), any rules and regulations necessary for the  
28 implementation of this section, including, but not limited to,  
29 provisions establishing the criteria for designation as an  
30 environmentally responsible business, company, or corporation, for  
31 award of certificates of recognition to exemplary businesses,  
32 companies, or corporations. Any rules and regulations adopted  
33 pursuant to this subsection shall include, at a minimum, the  
34 evaluation criteria provided in subsection a. of this section.

35  
36 2. a. Notwithstanding any other provision of State law, or any  
37 rule or regulation adopted pursuant thereto, to the contrary, the  
38 Director of the Division of Purchase and Property in the Department  
39 of the Treasury, the Director of the Division of Property  
40 Management and Construction in the Department of the Treasury,  
41 or any State agency having authority to contract for the purchase of  
42 goods and services, shall wherever possible give preference to  
43 goods and services provided by a business, company, or corporation  
44 on the list established pursuant to subsection a. of section 1 of this  
45 act.

46 In preparing the specifications for any contract for the purchase  
47 of goods and services, including but not limited to a contract for the  
48 construction, improvement, or maintenance of any public work, the

1 Director of the Division of Purchase and Property, the Director of  
2 the Division of Property Management and Construction, or any  
3 State agency having authority to contract for the purchase of goods  
4 or services shall include in the invitation to bid, where relevant, a  
5 statement that any response to the invitation that proposes or calls  
6 for the use of goods or services provided by a business, company,  
7 or corporation on the list established pursuant to subsection a. of  
8 section 1 of this act shall receive preference whenever possible.

9 Any preference provided pursuant to this subsection may not  
10 supersede any preference given to recycled paper and paper  
11 products pursuant to P.L.1987, c.102 (C.13:1E-99.11 et seq.) or  
12 other preferences provided pursuant to other provisions of law that  
13 establish a preference for goods or services with significant  
14 environmental benefit, as determined by the Commissioner of  
15 Environmental Protection.

16 b. The provisions of subsection a. of this section shall not apply:

17 (1) to any binding contractual obligations for the purchase of  
18 goods or services entered into prior to the effective date of this act;

19 (2) to bid packages advertised and made available to the public,  
20 or to any competitive and sealed bids received by the State, prior to  
21 the effective date of this act; or

22 (3) to any amendment, modification, or renewal of a contract,  
23 which contract was entered into prior to the effective date of this act  
24 where the application would delay timely completion of a project or  
25 involve an increase in the total moneys to be paid by the State under  
26 that contract.

27 c. The State Treasurer, in consultation with the Commissioner of  
28 Environmental Protection, shall establish a procedure for resolving  
29 any dispute that may arise from the awarding of a public contract by  
30 the State pursuant to subsection a. and subsection b. of this section.

31

32 3. This act shall take effect immediately.

33

34

35

#### STATEMENT

36

37 This bill would direct the Commissioner of Environmental  
38 Protection to establish a list of environmentally responsible  
39 businesses, companies and corporations in the State, and to further  
40 recognize businesses, companies, or corporations that have  
41 exhibited exemplary attention to, and concern for, the environment  
42 by awarding them certificates of recognition. The bill also provides  
43 that businesses, companies, or corporations included on the list  
44 would be given a preference in the awarding of State contracts  
45 whenever possible.

46 The bill directs the Commissioner of Environmental Protection,  
47 at a minimum, to evaluate a business, company or corporation on  
48 the basis of the following:

1       1) its contribution to the improved environment of the State,  
2 especially any contribution to environmental education and  
3 awareness in the State; the reduction of air and water pollution and  
4 the preservation of natural resources; the implementation of  
5 policies, procedures, or technologies to reduce, replace, or minimize  
6 the environmental impact of toxic materials and substances used in  
7 manufacturing processes or other applications; the increased use of  
8 recycled materials, energy conservation, or alternative forms of  
9 energy or fuel with environmental benefits; and the implementation  
10 of open space preservation, habitat protection, or responsible land  
11 use policies and projects;

12       2) the extent to which these contributions are in addition to steps  
13 the business, company, or corporation is required to take in these  
14 areas due to local, State, or federal requirements; and

15       3) the use of innovative policies, procedures, and technologies  
16 that result in sound environmental practices and important  
17 environmental benefits for the State.

18       Under the bill the Commissioner of Environmental Protection  
19 may establish the criteria for designation as an environmentally  
20 responsible business, company, or corporation, for award of  
21 certificates of recognition to exemplary businesses, companies, or  
22 corporations. However, any rules or regulations that are adopted  
23 must include at a minimum the evaluation criteria described above.

24       The bill also requires the Director of the Division of Purchase  
25 and Property in the Department of the Treasury, the Director of the  
26 Division of Property Management and Construction in the  
27 Department of the Treasury, or any State agency having authority to  
28 contract for the purchase of goods or services, to give preference to,  
29 whenever possible, goods and services provided by environmentally  
30 responsible businesses, companies and corporations on the list  
31 established under the bill when entering into or renewing a contract  
32 for the purchase of goods or services. The bill further provides that  
33 any preference given to these businesses, companies and  
34 corporations would not supersede the preference given to recycled  
35 paper and paper products under P.L.1987, c.102 (C.13:1E-99.11 et  
36 seq.) or other preferences provided under other laws that establish a  
37 preference for products or services with significant environmental  
38 benefit, as determined by the Commissioner of Environmental  
39 Protection.

40       The bill specifies that the preference provided under the bill  
41 would not apply to the following:

42       1) any binding contractual obligations for the purchase of goods  
43 or services entered into prior to the date the bill takes effect as law;

44       2) bid packages advertised and made available to the public, or  
45 to any competitive and sealed bids received by the State, prior to  
46 the date the bill takes effect as law; or

47       (3) any amendment, modification, or renewal of a contract,  
48 which contract was entered into, prior to the date the bill as

**A795 GUSCIORA, FISHER**

6

1 amended takes effect as law, where the application would delay  
2 timely completion of a project or involve an increase in the total  
3 moneys to be paid by the State under that contract.

4 Finally, the bill directs the State Treasurer, in consultation with  
5 the Commissioner of Environmental Protection, to establish a  
6 procedure for resolving any dispute that may arise from the  
7 awarding of a public contract by the State pursuant to the provisions  
8 of this bill.

ASSEMBLY ENVIRONMENT AND SOLID WASTE  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 795**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 12, 2008

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 795.

As amended by the committee, this bill directs the Commissioner of Environmental Protection to establish a list of environmentally responsible businesses, companies, and corporations in the State, and to further recognize businesses, companies, or corporations that have exhibited exemplary attention to, and concern for, the environment by awarding them certificates of recognition.

The bill directs the commissioner, at a minimum, to evaluate a business, company, or corporation on the basis of the following:

1) its contribution to the improved environment of the State, especially any contribution to environmental education and awareness in the State; the reduction of air and water pollution and the preservation of natural resources; the implementation of policies, procedures, or technologies to reduce, replace, or minimize the environmental impact of toxic materials and substances used in manufacturing processes or other applications; the increased use of recycled materials, energy conservation, or alternative forms of energy or fuel with environmental benefits; and the implementation of open space preservation, habitat protection, or responsible land use policies and projects;

2) the extent to which these contributions are in addition to steps the business, company, or corporation is required to take in these areas due to local, State, or federal requirements; and

3) the use of innovative policies, procedures, and technologies that result in sound environmental practices and important environmental benefits for the State.

Under the bill as amended, the commissioner may establish the criteria for designation as an environmentally responsible business, company, or corporation, provided that any rules or regulations that are adopted must include, at a minimum, the evaluation criteria described above.

As amended by the committee, the bill provides that the

commissioner shall periodically provide public recognition to those businesses, companies, or corporations determined by the commissioner to have exhibited exemplary attention to, and concern for, the environment in their business practices, policies, procedures or goods, as evidenced by their contribution to the improved environment of the State and use of innovative policies, procedures, and technologies that result in sound environmental practices and important environmental benefits for the State. This recognition may be in the form of the award of certificates, press announcements, or other forms of recognition deemed appropriate by the commissioner to highlight the achievements of these businesses, companies, or corporations. The bill also provides that the commissioner may create a logo for use by businesses, companies, or corporations recognized as environmentally responsible.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) delete section 2 of the bill that would have provided a preference in the awarding of State contracts whenever possible to businesses, companies, or corporations included on the list;

(2) require the list to be displayed prominently on the department's website, and be updated as appropriate;

(3) clarify the types of recognition that may be provided to designated businesses, companies, or corporations included on the list;

(4) provide that the commissioner may create a logo for use by the designated businesses, companies, or corporations;

(5) provide that the program may be known as the "Environmental Stewardship Program"; and

(6) make technical corrections.

# SENATE ENVIRONMENT COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 795**

# **STATE OF NEW JERSEY**

DATED: DECEMBER 14, 2009

The Senate Environment Committee favorably reports Assembly Bill No. 795.

This bill directs the Commissioner of Environmental Protection to establish a list of environmentally responsible businesses, companies, and corporations in the State, and to further recognize businesses, companies, or corporations that have exhibited exemplary attention to, and concern for, the environment by awarding them certificates of recognition.

The bill directs the commissioner, at a minimum, to evaluate a business, company, or corporation on the basis of the following:

1) its contribution to the improved environment of the State, especially any contribution to environmental education and awareness in the State; the reduction of air and water pollution and the preservation of natural resources; the implementation of policies, procedures, or technologies to reduce, replace, or minimize the environmental impact of toxic materials and substances used in manufacturing processes or other applications; the increased use of recycled materials, energy conservation, or alternative forms of energy or fuel with environmental benefits; and the implementation of open space preservation, habitat protection, or responsible land use policies and projects;

2) the extent to which these contributions are in addition to steps the business, company, or corporation is required to take in these areas due to local, State, or federal requirements; and

3) the use of innovative policies, procedures, and technologies that result in sound environmental practices and important environmental benefits for the State.

Under the bill, the commissioner may establish the criteria for designation as an environmentally responsible business, company, or corporation, provided that any rules or regulations that are adopted must include, at a minimum, the evaluation criteria described above.

The bill provides that the commissioner shall periodically provide public recognition to those businesses, companies, or corporations determined by the commissioner to have exhibited exemplary attention to, and concern for, the environment in their business practices,



policies, procedures or goods, as evidenced by their contribution to the improved environment of the State and use of innovative policies, procedures, and technologies that result in sound environmental practices and important environmental benefits for the State. This recognition may be in the form of the award of certificates, press announcements, or other forms of recognition deemed appropriate by the commissioner to highlight the achievements of these businesses, companies, or corporations. The bill also provides that the commissioner may create a logo for use by businesses, companies, or corporations recognized as environmentally responsible.

**SENATE, No. 1899**

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**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

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INTRODUCED JUNE 5, 2008

**Sponsored by:**

**Senator JOSEPH M. KYRILLOS, JR.**  
**District 13 (Middlesex and Monmouth)**  
**Senator FRED H. MADDEN, JR.**  
**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Senator Ruiz**

**SYNOPSIS**

Requires DEP Commissioner to establish list and recognition program for certain environmentally responsible companies.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/12/2010)**

1 AN ACT establishing a program to recognize certain businesses,  
2 companies, or corporations in the State providing environmental  
3 benefits to the State and supplementing Title 13 of the Revised  
4 Statutes.

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

8  
9 1. a. The Commissioner of Environmental Protection shall  
10 establish a list of businesses, companies, and corporations in the  
11 State that are, as determined by the commissioner, environmentally  
12 responsible. In making this determination, the commissioner, at a  
13 minimum, shall evaluate a business, company, or corporation on the  
14 basis of the following:

15 (1) the contribution of the business, company, or corporation to  
16 the improved environment of the State, especially any contribution  
17 to environmental education and awareness in the State; the  
18 reduction of air and water pollution and the preservation of natural  
19 resources; the implementation of policies, procedures, or  
20 technologies to reduce, replace, or minimize the environmental  
21 impact of toxic materials and substances used in manufacturing  
22 processes or other applications; the increased use of recycled  
23 materials, energy conservation, or alternative forms of energy or  
24 fuel with environmental benefits; and the implementation of open  
25 space preservation, habitat protection, or responsible land use  
26 policies and projects;

27 (2) the extent to which these contributions are in addition to  
28 steps the business, company, or corporation is required to take in  
29 these areas due to local, State, or federal requirements; and

30 (3) the use of innovative policies, procedures, and technologies  
31 that result in sound environmental practices and important  
32 environmental benefits for the State.

33 The list established pursuant to this subsection shall be  
34 displayed prominently on the Department of Environmental  
35 Protection's website, and shall be updated as appropriate.

36 b. In addition to designating businesses, companies, or  
37 corporations as environmentally responsible pursuant to subsection  
38 a. of this section, the Commissioner of Environmental Protection  
39 shall periodically provide public recognition to those businesses,  
40 companies, or corporations in the State that, as determined by the  
41 commissioner, have exhibited exemplary attention to, and concern  
42 for, the environment in their business practices, policies, procedures  
43 or goods, as evidenced by their contribution to the improved  
44 environment of the State and use of innovative policies, procedures,  
45 and technologies that result in sound environmental practices and  
46 important environmental benefits for the State. This recognition  
47 may be in the form of the award of certificates, press  
48 announcements, or other forms of recognition the commissioner

1 deems appropriate to highlight the achievements of these  
2 businesses, companies, or corporations. The commissioner may  
3 also create a logo which businesses, companies, or corporations  
4 who have been recognized as environmentally responsible may use  
5 in the promotion of that business, company, or corporation.

6 c. Any business, company, or corporation in the State that makes  
7 a contribution to the improved environment of the State or  
8 implements innovative policies, procedures, or technologies, above  
9 and beyond the scope of those measures required pursuant to local,  
10 State, or federal requirements, may submit to the Commissioner of  
11 Environmental Protection documentation of these contributions or  
12 the implementation of these measures, how the measures constitute  
13 environmental measures above and beyond the scope of those  
14 measures required pursuant to local, State, or federal requirements,  
15 and the environmental benefit gained by the State from these  
16 contributions or the implementation of the measures. The  
17 commissioner shall review the submitted documentation and  
18 determine if the business, company, or corporation should be  
19 included in the list established pursuant to subsection a. of this  
20 section, and if the business, company, or corporation should be  
21 further recognized for its achievements pursuant to subsection b. of  
22 this section.

23 d. The list and the recognition program established pursuant to  
24 subsections a. and b. of this section may be known as the  
25 "Environmental Stewardship Program."

26 e. The Commissioner of Environmental Protection may adopt,  
27 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
28 (C.52:14B-1 et seq.), any rules and regulations necessary for the  
29 implementation of this section, including, but not limited to,  
30 provisions establishing the criteria for designation as an  
31 environmentally responsible business, company, or corporation, and  
32 for award of certificates of recognition to exemplary businesses,  
33 companies, or corporations. Any rules and regulations adopted  
34 pursuant to this subsection shall include, at a minimum, the  
35 evaluation criteria provided in subsection a. of this section.

36  
37 2. This act shall take effect immediately.  
38  
39

40 STATEMENT  
41

42 This bill directs the Commissioner of Environmental Protection  
43 to establish a list of environmentally responsible businesses,  
44 companies, and corporations in the State, and to further recognize  
45 businesses, companies, or corporations that have exhibited  
46 exemplary attention to, and concern for, the environment by  
47 awarding them certificates of recognition.

48 The bill directs the commissioner, at a minimum, to evaluate a

1 business, company, or corporation on the basis of the following:

2 1) its contribution to the improved environment of the State,  
3 especially any contribution to environmental education and  
4 awareness in the State; the reduction of air and water pollution and  
5 the preservation of natural resources; the implementation of  
6 policies, procedures, or technologies to reduce, replace, or minimize  
7 the environmental impact of toxic materials and substances used in  
8 manufacturing processes or other applications; the increased use of  
9 recycled materials, energy conservation, or alternative forms of  
10 energy or fuel with environmental benefits; and the implementation  
11 of open space preservation, habitat protection, or responsible land  
12 use policies and projects;

13 2) the extent to which these contributions are in addition to steps  
14 the business, company, or corporation is required to take in these  
15 areas due to local, State, or federal requirements; and

16 3) the use of innovative policies, procedures, and technologies  
17 that result in sound environmental practices and important  
18 environmental benefits for the State.

19 Under the bill, the commissioner may establish the criteria for  
20 designation as an environmentally responsible business, company,  
21 or corporation, provided that any rules or regulations that are  
22 adopted must include, at a minimum, the evaluation criteria  
23 described above.

24 The bill provides that the commissioner shall periodically  
25 provide public recognition to those businesses, companies, or  
26 corporations determined by the commissioner to have exhibited  
27 exemplary attention to, and concern for, the environment in their  
28 business practices, policies, procedures or goods, as evidenced by  
29 their contribution to the improved environment of the State and use  
30 of innovative policies, procedures, and technologies that result in  
31 sound environmental practices and important environmental  
32 benefits for the State. This recognition may be in the form of the  
33 award of certificates, press announcements, or other forms of  
34 recognition deemed appropriate by the commissioner to highlight  
35 the achievements of these businesses, companies, or corporations.  
36 The bill also provides that the commissioner may create a logo for  
37 use by businesses, companies, or corporations recognized as  
38 environmentally responsible.

# SENATE ENVIRONMENT COMMITTEE

## STATEMENT TO

### SENATE, No. 1899

# STATE OF NEW JERSEY

DATED: DECEMBER 14, 2009

The Senate Environment Committee favorably reports Senate Bill No. 1899.

This bill directs the Commissioner of Environmental Protection to establish a list of environmentally responsible businesses, companies, and corporations in the State, and to further recognize businesses, companies, or corporations that have exhibited exemplary attention to, and concern for, the environment by awarding them certificates of recognition.

The bill directs the commissioner, at a minimum, to evaluate a business, company, or corporation on the basis of the following:

- 1) its contribution to the improved environment of the State, especially any contribution to environmental education and awareness in the State; the reduction of air and water pollution and the preservation of natural resources; the implementation of policies, procedures, or technologies to reduce, replace, or minimize the environmental impact of toxic materials and substances used in manufacturing processes or other applications; the increased use of recycled materials, energy conservation, or alternative forms of energy or fuel with environmental benefits; and the implementation of open space preservation, habitat protection, or responsible land use policies and projects;

- 2) the extent to which these contributions are in addition to steps the business, company, or corporation is required to take in these areas due to local, State, or federal requirements; and

- 3) the use of innovative policies, procedures, and technologies that result in sound environmental practices and important environmental benefits for the State.

Under the bill, the commissioner may establish the criteria for designation as an environmentally responsible business, company, or corporation, provided that any rules or regulations that are adopted must include, at a minimum, the evaluation criteria described above.

The bill provides that the commissioner shall periodically provide public recognition to those businesses, companies, or corporations determined by the commissioner to have exhibited exemplary attention to, and concern for, the environment in their business practices, policies, procedures or goods, as evidenced by their contribution to the improved environment of the State and use of innovative policies,

procedures, and technologies that result in sound environmental practices and important environmental benefits for the State. This recognition may be in the form of the award of certificates, press announcements, or other forms of recognition deemed appropriate by the commissioner to highlight the achievements of these businesses, companies, or corporations. The bill also provides that the commissioner may create a logo for use by businesses, companies, or corporations recognized as environmentally responsible.