

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Fishermen's Energy wind farm revived - Bill to promote Fishermen's Energy offshore wind project now law," The Press of Atlantic City, 6-1-2018

RWH/JA

P.L. 2018, CHAPTER 21, *approved May 30, 2018*
Senate, No. 1217 (*First Reprint*)

1 AN ACT concerning offshore wind energy and amending P.L.2010,
2 c.57.

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

6
7 1. Section 4 of P.L.2010, c.57 (C.48:3-87.2) is amended to read as
8 follows:

9 4. a. The board **may** ¹**shall** may¹ approve, subject to the
10 project obtaining the necessary permits, approvals, and authorizations
11 from the Department of Environmental Protection, a qualified wind
12 energy project located in territorial waters offshore of a municipality in
13 which casino gaming is authorized, and authorize offshore wind
14 renewable energy certificates for that project. Any such project shall
15 be a nominal 20 megawatts and no more than 25 megawatts in
16 nameplate capacity and comply with the requirements set forth in
17 section 3 of P.L.2010, c.57 (C.48:3-87.1) , and the cumulative number
18 of wind turbines approved for the project shall not exceed six .

19 b. ¹**Within 30 days following** Upon¹ the date of enactment of
20 P.L. , c. (pending before the Legislature as this bill), the board
21 shall ¹**provide a 90-day period for the submission of an amended**
22 accept a submitted¹ application under ¹**this section** section 3 of
23 P.L.2010, c.57 (C.48:3-87.1)¹ for the qualified wind energy project to
24 be located in territorial waters offshore of a municipality in which
25 casino gaming is authorized for which ¹**an original** an¹ application
26 therefor had been submitted to the board prior to the date of enactment
27 of P.L. , c. (pending before the Legislature as this bill). The
28 ¹**board's review of this amended application shall be limited to**
29 addressing any modifications that may be needed to meet any concerns
30 expressed or considered by the board prior to the date of enactment of
31 P.L. , c. (pending before the Legislature as this bill) specifically
32 concerning the issues of turbine selection and substantiation of
33 financial viability.

34 Following conclusion of the 90-day period required by this
35 subsection, the board shall from time to time provide a period for
36 submission of applications under this subsection that may differ in
37 length from the 90-day period provided in this subsection¹ board may
38 consider relevant information filed in connection with the prior
39 application in undertaking its review and, notwithstanding the
40 requirements set forth in subsection d. of section 3 of P.L.2010, c.57
41 (C.48:3-87.1), shall make a final determination on the application

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 SBA committee amendments adopted April 5, 2018.

1 within 90 days of the date a complete application is filed with the
2 board¹ .

3 (cf: P.L.2010, c.57, s.4)

4

5 2. This act shall take effect immediately.

6

7

8

9

10 Requires BPU consideration and approval of amended
11 application for qualified wind energy project offshore in certain NJ
12 territorial waters.

SENATE, No. 1217

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 25, 2018

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Co-Sponsored by:

Senators Singleton and Brown

SYNOPSIS

Requires BPU consideration and approval of amended application for qualified wind energy project offshore in certain NJ territorial waters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/27/2018)

1 AN ACT concerning offshore wind energy and amending P.L.2010,
2 c.57.

3

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

6

7 1. Section 4 of P.L.2010, c.57 (C.48:3-87.2) is amended to read
8 as follows:

9 4. a. The board **[may]** shall approve, subject to the project
10 obtaining the necessary permits, approvals, and authorizations from
11 the Department of Environmental Protection, a qualified wind
12 energy project located in territorial waters offshore of a
13 municipality in which casino gaming is authorized, and authorize
14 offshore wind renewable energy certificates for that project. Any
15 such project shall be a nominal 20 megawatts and no more than 25
16 megawatts in nameplate capacity and comply with the requirements
17 set forth in section 3 of P.L.2010, c.57 (C.48:3-87.1) , and the
18 cumulative number of wind turbines approved for the project shall
19 not exceed six .

20 b. Within 30 days following the date of enactment of P.L. ,
21 c. (pending before the Legislature as this bill), the board shall
22 provide a 90-day period for the submission of an amended
23 application under this section for the qualified wind energy project
24 to be located in territorial waters offshore of a municipality in
25 which casino gaming is authorized for which an original application
26 therefor had been submitted to the board prior to the date of
27 enactment of P.L. , c. (pending before the Legislature as this
28 bill). The board's review of this amended application shall be
29 limited to addressing any modifications that may be needed to meet
30 any concerns expressed or considered by the board prior to the date
31 of enactment of P.L. , c. (pending before the Legislature as this
32 bill) specifically concerning the issues of turbine selection and
33 substantiation of financial viability.

34 Following conclusion of the 90-day period required by this
35 subsection, the board shall from time to time provide a period for
36 submission of applications under this subsection that may differ in
37 length from the 90-day period provided in this subsection.
38 (cf: P.L.2010, c.57, s.4)

39

40 2. This act shall take effect immediately.

41

42

STATEMENT

43

44 This bill would require the New Jersey Board of Public Utilities
45 (board) to provide for the submission of an amended application for

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.

1 the qualified wind energy project that the board is currently
2 authorized to approve under existing law. Specifically, under
3 section 4 of P.L.2010, c.57 (C.48:3-87.2), the board is authorized to
4 approve a qualified wind energy project that is located in territorial
5 waters offshore of a municipality in which casino gaming is
6 authorized.

7 This bill would require the board, within 30 days after
8 enactment, to provide a 90-day period for the submission of an
9 amended application for such a project for which an original
10 application therefor had been submitted to the board prior to the
11 date of enactment of this bill. The board's review of this amended
12 application would be limited to addressing any modifications that
13 may be needed to meet any concerns previously expressed or
14 considered by the board specifically concerning the issues of
15 turbine selection and substantiation of financial viability. This bill
16 also provides that the cumulative number of wind turbines approved
17 for the project would not exceed six.

18 Lastly, the bill would require the board, following
19 conclusion of the required 90-day period, to provide from time to
20 time a submission period that may differ from the 90-day application
21 period.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1217

with committee amendments

STATE OF NEW JERSEY

DATED: APRIL 5, 2018

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1217, with committee amendments.

As amended, this bill modifies the process by which the New Jersey Board of Public Utilities (the “board”) accepts and considers an application for a qualified wind energy project.

Specifically, the board has authority, under current law, to approve a qualified wind energy project that is located in territorial waters offshore of a municipality in which casino gaming is authorized, as well as authorize offshore wind renewable energy certificates for that project. This bill provides that the cumulative number of wind turbines approved for the project cannot exceed six.

This bill requires the board to accept applications for such a project for instances in which an application had previously been submitted to the board prior to the date of enactment of this bill into law. The board may consider relevant information filed in connection with the prior project application in undertaking its review.

Lastly, the bill requires the board to make a final determination on the project application within 90 days of the date the complete application is filed with the board.

COMMITTEE AMENDMENTS:

The committee amendments: (1) allow, rather than require, the board to approve project application; (2) require the board to accept a submitted application for the project that had been submitted to the board prior to the date of enactment of the bill into law; (3) allow the board to consider relevant information filed in connection with the prior project application in undertaking its review; (4) require the board to make a final determination on the project application within 90 days of the date a complete application is filed with the board; and (5) correct a citation.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

ASSEMBLY, No. 2485

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman JOHN ARMATO

District 2 (Atlantic)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblyman Johnson

SYNOPSIS

Requires BPU consideration and approval of amended application for qualified wind energy project offshore in certain NJ territorial waters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/23/2018)

1 AN ACT concerning offshore wind energy and amending P.L.2010,
2 c.57.

3

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

6

7 1. Section 4 of P.L.2010, c.57 (C.48:3-87.2) is amended to read
8 as follows:

9 4. a. The board **[may]** shall approve, subject to the project
10 obtaining the necessary permits, approvals, and authorizations from
11 the Department of Environmental Protection, a qualified wind
12 energy project located in territorial waters offshore of a
13 municipality in which casino gaming is authorized, and authorize
14 offshore wind renewable energy certificates for that project. Any
15 such project shall be a nominal 20 megawatts and no more than 25
16 megawatts in nameplate capacity and comply with the requirements
17 set forth in section 3 of P.L.2010, c.57 (C.48:3-87.1) , and the
18 cumulative number of wind turbines approved for the project shall
19 not exceed six .

20 b. Within 30 days following the date of enactment of P.L. ,
21 c. (pending before the Legislature as this bill), the board shall
22 provide a 90-day period for the submission of an amended
23 application under this section for the qualified wind energy project
24 to be located in territorial waters offshore of a municipality in
25 which casino gaming is authorized for which an original application
26 therefor had been submitted to the board prior to the date of
27 enactment of P.L. , c. (pending before the Legislature as this
28 bill). The board's review of this amended application shall be
29 limited to addressing any modifications that may be needed to meet
30 any concerns expressed or considered by the board prior to the date
31 of enactment of P.L. , c. (pending before the Legislature as this
32 bill) specifically concerning the issues of turbine selection and
33 substantiation of financial viability.

34 Following conclusion of the 90-day period required by this
35 subsection, the board shall from time to time provide a period for
36 submission of applications under this subsection that may differ in
37 length from the 90-day period provided in this subsection.
38 (cf: P.L.2010, c.57, s.4)

39

40 2. This act shall take effect immediately.

41

42 STATEMENT

43

44 This bill would require the New Jersey Board of Public Utilities
45 (board) to provide for the submission of an amended application for

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.

1 the qualified wind energy project that the board is currently
2 authorized to approve under existing law. Specifically, under
3 section 4 of P.L.2010, c.57 (C.48:3-87.2), the board is authorized to
4 approve a qualified wind energy project that is located in territorial
5 waters offshore of a municipality in which casino gaming is
6 authorized.

7 This bill would require the board, within 30 days after
8 enactment, to provide a 90-day period for the submission of an
9 amended application for such a project for which an original
10 application therefor had been submitted to the board prior to the
11 date of enactment of this bill. The board's review of this amended
12 application would be limited to addressing any modifications that
13 may be needed to meet any concerns previously expressed or
14 considered by the board specifically concerning the issues of
15 turbine selection and substantiation of financial viability. This bill
16 also provides that the cumulative number of wind turbines approved
17 for the project would not exceed six.

18 Lastly, the bill would require the board, following
19 conclusion of the required 90-day period, to provide from time to
20 time a submission period that may differ from the 90-day application
21 period.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2485

STATE OF NEW JERSEY

DATED: APRIL 5, 2018

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2485 (1R).

This bill allows the New Jersey Board of Public Utilities (board) to approve a qualified wind energy project located in territorial waters offshore of a municipality in which casino gaming is authorized (project), and authorize offshore wind renewable energy certificates for the project provided that the cumulative number of wind turbines approved for the project is not to exceed six.

Upon the date of enactment of the bill, the board is to accept a submitted application for the project for which an application had been submitted to the board prior to the date of enactment of the bill. The board may consider relevant information filed in connection with the prior project application in undertaking its review and is to make a final determination on the application within 90 days of the date a complete application is filed with the board.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2485

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 22, 2018

The Assembly Telecommunications and Utilities Committee reports favorably and with committee amendments Assembly Bill No. 2485.

As amended and reported, this bill allows the New Jersey Board of Public Utilities (board) to approve a qualified wind energy project located in territorial waters offshore of a municipality in which casino gaming is authorized (project), and authorize offshore wind renewable energy certificates for the project provided that the cumulative number of wind turbines approved for the project is not to exceed six.

Upon the date of enactment of the bill, the board is to accept a submitted application for the project for which an application had been submitted to the board prior to the date of enactment of the bill. The board may consider relevant information filed in connection with the prior project application in undertaking its review and is to make a final determination on the application within 90 days of the date a complete application is filed with the board.

COMMITTEE AMENDMENTS:

The committee amended the bill to: 1) allow, rather than require, the board to approve the project application; 2) require the board to accept a submitted application for the project that had been submitted to the board prior to the date of enactment of the bill; 3) allow the board to consider relevant information filed in connection with the prior project application in undertaking its review; 4) require the board to make a final determination on the project application within 90 days of the date a complete application is filed with the board; and 5) correct a citation.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

05/30/2018

TRENTON – Today, Governor Phil Murphy announced that he has signed the following bills into law:

A2787 (Dancer, Andrzejczak, Houghtaling, Rooney/Cruz-Perez, Singer) – Extends pilot program authorizing special occasion events at wineries on preserved farmland; implements reporting requirement.

A3380 (McKeon, Murphy, Lampitt, Conaway/Vitale, Singleton) – “New Jersey Health Insurance Market Preservation Act.”

S482 (Vitale/Vainieri Huttle, Quijano, Jasey) – Authorizes certain gestational carrier agreements.

S846 (Turner, Cruz-Perez/Pintor Marin, Mukherji, Gusciora, Jones, Sumter) – Reinstates and extends duration of certain UEZs; requires DCA to study UEZ program and report recommendations to the Legislature.

S868 (Sweeney, Vitale/Coughlin, Jasey, Schaer)– Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots.

S1217 (Sweeney, Smith/Mazzeo, Armato, DeAngelo) – Requires BPU consideration and approval of amended application for qualified wind energy project offshore in certain NJ territorial waters.

S1870 (Vitale, Ruiz/Speight, Quijano, McKnight) – Requires Child Fatality and Near Fatality Review Board to study racial and ethnic disparities that contribute to infant mortality.

S1876 (Ruiz, Corrado/Vainieri Huttle, Caputo, Jasey) – Requires Commissioner of Education to include data on chronic absenteeism and disciplinary suspensions on School Report Card and requires public schools to make certain efforts to combat chronic absenteeism.

S1878 (Vitale, Singleton/McKeon, Lampitt, Murphy) – "New Jersey Health Insurance Premium Security Act;" establishes health insurance reinsurance plan.

S1894 (Ruiz, Turner/Lampitt, Sumter, Barclay) – Requires "breakfast after the bell" program in all schools with 70% or more of students eligible for free or reduced price meals.

S1895 (Ruiz, Turner/Lampitt, Jones, Wimberly) – Requires certain school districts to submit report on nonparticipation in "Community Eligibility Provision" of National School Lunch and School Breakfast Programs.

S1896 (Ruiz, Turner/Lampitt, Wimberly, Jones) – Requires school district to report at least biannually to Department of Agriculture number of students who are denied school breakfast or school lunch.

S1897 (Ruiz, Turner/Lampitt, Pintor Marin, Barclay) – Expands summer meal program to all school districts with 50 percent or more of students eligible for free or reduced price meals.

S2247 (Sweeney/Burzichelli, Mukherji, Murphy) – Allows charitable assets set aside from the sale of nonprofit hospital to for-profit entity to be allocated to successor nonprofit charitable entity that is establishing and operating

equivalent nonprofit hospital.

Governor Murphy also announced that he has conditionally vetoed the following bills:

S879 (Sweeney/Burzichelli, Taliaferro, Murphy) – Amends definition of "existing major hazardous waste facility" in "Major Hazardous Waste Facilities Siting Act."

[Copy of message on S879](#)

S976 (Vitale, Bateman/Vainieri Huttie, Lagana, Mukherji) – "Revised State Medical Examiner Act"; establishes Office of the Chief State Medical Examiner in DOH.

[Copy of message on S976](#)

S1968 (Pou/Wimberly, Mukherji, Sumter) – Extends document submission deadline for certain residential and mixed use parking projects under Economic Redevelopment and Growth Grant program; increases maximum credit amounts awarded for certain residential and mixed use parking projects.

[Copy of message on S1968](#)

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