

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 212

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2010

The Senate Environment and Energy Committee favorably reports Senate Bill No. 212.

This bill, as amended, would allow construction of wind dependent energy facilities on a pier that exists on the effective date of the bill, within 500 feet of the mean high water line of tidal waters pursuant to the “Coastal Area Facility Review Act,” provided all other requirements of law, rule or regulation are met. Current Department of Environmental Protection regulations permit only water dependent energy facilities to be constructed within 500 feet of the mean high water line. This bill also directs DEP to adopt rules and regulations concerning such permits within 30 days after the date of enactment of the bill into law. These rules and regulations will be effective for no more than 12 months and will be amended, adopted or re-adopted in accordance with the “Administrative Procedure Act.”

The bill would limit its provisions to municipalities in which casino gaming is authorized.

The committee amendment would provide that the bill would apply only to projects on piers in existence on the effective date of the bill.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.