

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 2505

STATE OF NEW JERSEY

DATED: JUNE 14, 2018

The Senate Economic Growth Committee reports favorably Senate Bill No. 2505.

As reported, this bill authorizes an electric public utility to utilize all available methods to remove, replace, or maintain dangerous vegetation and to establish a program with a municipality to develop effective strategies to implement the provisions of this bill. Under the bill, “dangerous vegetation” means a tree, shrub, plant, or any other vegetation growing in, near, or adjacent to the electric public utility’s right of way, and the electric distribution and transmission system, but not including a service line to an individual customer, which may fall into, touch, affect, or otherwise interfere with an electrical distribution line, as determined by the electric public utility or local government entity having control of the right-of-way.

The bill prohibits the Community Forestry Council and county or municipal shade tree commissions from working with or restricting an electric public utility’s removal, replacement, or maintenance of dangerous vegetation.

The bill also provides that, in order to allow an electric public utility or cable television company to clear, move, cut, or destroy dangerous vegetation upon any lands in which it has acquired an easement or right-of-way or upon any public right-of-way, an electric public utility or cable television company is not required to receive the permission of any county or municipal shade tree commission to undertake that work and is not subject to any penalty imposed by any commission as provided by law. Under the bill, an electric public utility or cable television company is not exempt from any penalty or replacement assessment imposed as a result of damage to a tree, shrub, or plant caused by non-compliance with any rule or regulation of a county or municipal shade tree commission, provided that the rule or regulation does not interfere with or restrict any vegetation management work conducted by the electric public utility or cable television company to comply with any federal rule, regulation, or law, any vegetation management rule, regulation, or order of the board, or any national or federal standard applicable to a public utility or cable television company.