

CHAPTER 239

AN ACT creating the Solar and Wind Energy Commission to study solar and wind energy installation feasibility on State property.

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

1. a. There is established the “Solar and Wind Energy Commission.” The purpose of the commission shall be to conduct a thorough and comprehensive study to examine State owned property and determine where solar and wind energy installations would be feasible. The commission shall make recommendations, including legislative and regulatory recommendations, regarding the potential for and the impact of solar and wind energy installations using State owned property, including buildings and land, as host sites of renewable energy generation. The study shall research the financial implications of installing and maintaining solar or wind energy and the projected energy and financial savings to the State, and include a discussion of the potential use of net metering. The study shall include a discussion of property values, land use, community impact, planning and development, and environmental factors related to the State owned property sites where solar or wind energy installations are feasible.

b. The commission shall consist of eleven members as follows:

- (1) the State Treasurer, or the treasurer’s designee;
- (2) the Commissioner of Environmental Protection, or the commissioner’s designee;
- (3) the President of the Board of Public Utilities, or the president’s designee;
- (4) the Commissioner of Community Affairs, or the commissioner’s designee; and
- (5) seven members of the public appointed by the Governor, of whom: one shall represent the environmental community; one shall represent the land use community; one shall represent the planning community; one shall represent the renewable energy industry; one shall represent an electric public utility; and two shall be lawyers, one of whom is a lawyer for a local government and one of whom is a land use lawyer.

c. The seven members of the public shall be appointed by the Governor within 30 days after the date of enactment of this act.

d. Any vacancy in membership of the commission shall be filled in the same manner as the original appointment.

e. Members of the commission shall serve without compensation.

2. a. The Solar and Wind Energy Commission shall organize as soon as may be practicable after the appointment of its members, and shall select a chairperson from among its members and a secretary who need not be a member of the commission.

b. The commission shall meet regularly as it may determine, and shall also meet at the call of the chairperson of the commission or a majority of the membership.

c. A majority of the membership of the commission shall constitute a quorum for the transaction of commission business. Action may be taken and motions and resolutions adopted by the commission at any meeting thereof by the affirmative vote of a majority of the membership of the commission in attendance at the meeting.

d. The commission, within the limits of funds appropriated or otherwise made available to it, may employ such staff or experts and incur such traveling and other miscellaneous expenses as it may deem necessary in order to perform its duties pursuant to this act.

e. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other

public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act.

f. If requested by the commission, the Department of Environmental Protection shall provide primary staff support to the commission.

3. The Solar and Wind Energy Commission shall prepare and submit a final report, including its findings, conclusions, and recommendations, to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the State House Commission, within one year after its organization. Copies of the report shall also be provided to the public upon request and free of charge, and the report shall be posted on the Internet websites of the Department of Environmental Protection and the Board of Public Utilities.

4. This act shall take effect immediately and shall expire on the 30th day after the commission submits its final report as prescribed in section 3 of the act.

Approved January 16, 2010.