

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE CONCURRENT RESOLUTION No. 11

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2024

The Senate Environment and Energy Committee reports favorably and with committee amendments Senate Concurrent Resolution No. 11.

This constitutional amendment, as amended by the committee, would prohibit the construction of certain new fossil fuel power plants in the State. It would also prohibit the State from permitting or otherwise approving new fossil fuel power plants. However, the constitutional amendment would not apply to: (1) the repair or maintenance of a fossil fuel power plant that exists, in this State, prior to the adoption of the constitutional amendment; or (2) the construction, reconstruction, repair, or maintenance of an electric power generation facility that is or will be used only on an intermittent, occasional, or emergency basis, as a so-called “peaking power plant,” for the sole purpose of generating and supplying the State’s electric grid with surplus electric power, in excess of base load requirements, during periods of peak electricity demand.

The committee amendments would exempt, from the amendment’s prohibition, the construction, reconstruction, repair, or maintenance of a peaking power plant that is or will be used solely for the purposes of producing surplus electric power, in excess of base load generating requirements, during periods of peak electricity demand. The amendments would also add various related definitions to the text of the amendment in order to clarify the meaning of the terms, “base load” and “base load requirements,” “peaking power plant,” and “period of peak electricity demand.”

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.