

SENATE, No. 2857

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 14, 2022

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Establishes “Sustainable New Jersey Fund” in DCA to support certain sustainability initiatives; appropriates \$1 million.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning support for sustainability initiatives by
2 municipalities, school districts, and other State and local
3 government contracting agencies, supplementing Title 52 of the
4 Revised Statutes, and making an appropriation.

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

8
9 1. The Legislature finds and declares that:

10 a. Sustainability training and support programs offered to local
11 governments, school districts, and other governmental entities have
12 been shown to result in significant cost savings to those who adopt
13 sustainability initiatives.

14 b. New Jersey institutions of higher education have
15 successfully partnered with New Jersey nonprofit organizations to
16 develop and offer support and assistance to local governments,
17 school districts, and other governmental entities.

18 c. Encouraging New Jersey municipalities, schools, school
19 districts, and other State and local government contracting agencies
20 to function in a sustainable, environmentally responsible manner
21 and to use resources efficiently is vital to ensure a sustainable future
22 of New Jersey and its residents.

23 d. It is in the State's interest to ensure the general welfare of
24 the State and its residents by encouraging, and provide a stable
25 source of funding for, the development of such partnerships and
26 programs.

27
28 2. a. There is established in the Department of Community
29 Affairs a special non-lapsing fund to be known as the "Sustainable
30 New Jersey Fund." The department shall annually distribute
31 moneys in the fund to a public institution of higher education that
32 has an existing contractual relationship with a qualified nonprofit
33 organization that offers certifications and grants to municipalities
34 and public schools across the State in support of efforts to realize
35 environmental, economic, and social sustainability. A public
36 institution of higher education that receives moneys from the
37 Sustainable New Jersey Fund shall distribute such funds to a
38 qualified nonprofit organization to support the provision of such
39 certification and grants.

40 b. As used in P.L. , c. (C.) (pending before the
41 Legislature as this bill) "qualified nonprofit organization" means a
42 nonprofit organization that:

43 (1) is organized under, and governed by, the laws of the State;

44 (2) has a board of trustees with representatives from State
45 agencies and formal representation from local government officials;

46 (3) has a formal contractual affiliation with a public institution
47 of higher education for the purpose of providing sustainability
48 research, consulting, and program support to entities contracting

1 with the affiliated public institution of higher education for such
2 service or support, and has at least five years' of experience
3 operating under similar agreements; and

4 (4) has experience collaborating with State agencies, including
5 at least five years' of experience successfully implementing a total
6 minimum of \$5 million of State contracts and grant awards through
7 a contractually affiliated public institution of higher education.

8
9 3. The Sustainable New Jersey Fund shall be annually credited
10 with money appropriated by the Legislature, which moneys shall be
11 disbursed to the public institution of higher education that is
12 partnered with a qualified nonprofit organization. The qualified
13 nonprofit organization that receives the funds from the public
14 institution of higher education pursuant to the provisions of
15 P.L. , c. (C.) (pending before the Legislature as this bill)
16 shall not be required to comply with the public bidding
17 requirements of the "Local Public Contracts Law," P.L.1971, c.198
18 (C.40A:11-1 et seq.) or the "Public School Contracts Law,"
19 N.J.S.18A:18A-1 et seq. when contracting with a municipality,
20 school, school district, and other State or local government
21 contracting agency related to any services, certification processes,
22 support initiatives, or grants of the qualified nonprofit organization
23 for efforts to realize environmental, economic, and social
24 sustainability.

25
26 4. There is appropriated from the General Fund to the
27 "Sustainable New Jersey Fund," established pursuant to section 2 of
28 P.L. , c. (C.) (pending before the Legislature as this bill),
29 the sum of \$1 million for the purpose of enabling continued support
30 to municipalities and public schools in their efforts to create a more
31 sustainable New Jersey.

32
33 5. This act shall take effect 30 days following the date of
34 enactment, but the Commissioner of Community Affairs may take
35 any anticipatory action in advance of that date as may be necessary
36 to implement the provisions of this act.

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39 STATEMENT

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41 This bill establishes the "Sustainable New Jersey Fund" in the
42 Department of Community Affairs ("DCA"), makes an
43 appropriation of \$1 million to the fund for the current fiscal year,
44 and directs the Legislature to annually appropriate additional
45 moneys to the fund.

46 Under the bill, DCA is required to annually distribute money in
47 the fund to a public institution of higher education that has an
48 existing contractual relationship with a qualified nonprofit

1 organization, as defined in the bill, that offers certifications and
2 grants to municipalities and public schools across the State in
3 support of efforts to realize environmental, economic, and social
4 sustainability. The public institution of higher education is required
5 to distribute the funds to the qualified nonprofit organization to
6 support the provision of such certification and grants. Under the
7 bill, the fund is required to be annually credited with money
8 appropriated by the Legislature, which moneys are required to be
9 disbursed to the public institution of higher education partnered
10 with a qualified nonprofit organization.

11 Under the bill, the qualified nonprofit organization that receives
12 moneys pursuant to the provisions of the bill is not required to
13 comply with the public bidding requirements of the “Local Public
14 Contracts Law,” N.J.S.A.40A:11-1 et seq. or the “Public School
15 Contracts Law,” N.J.S.A.18A:18A-1 et seq., when contracting with
16 a municipality, school, school district, and other State or local
17 government contracting agency for services, certification processes,
18 support initiatives, or grants under the bill.