

**SENATE CONCURRENT  
RESOLUTION No. 146**

**STATE OF NEW JERSEY  
215th LEGISLATURE**

INTRODUCED MARCH 11, 2013

**Sponsored by:**  
**Senator BOB SMITH**  
**District 17 (Middlesex and Somerset)**

**SYNOPSIS**

Amends Constitution to require State's participation in Regional Greenhouse Gas Initiative and dedicates any revenues realized therefrom to certain clean energy and greenhouse gas reduction programs.

**CURRENT VERSION OF TEXT**

As introduced.



1 A CONCURRENT RESOLUTION proposing to amend Article V,  
2 Section IV of the Constitution of New Jersey.

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4 BE IT RESOLVED by the Senate of the State of New Jersey (the  
5 General Assembly concurring):

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7 1. The following proposed amendment to the Constitution to the  
8 State of New Jersey is agreed to:

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10 PROPOSED AMENDMENT

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12 Amend Article V, Section IV by the addition of a new paragraph  
13 7 as follows:

14 7. (a) The State shall fully participate in the interstate  
15 cooperative effort to reduce carbon dioxide emissions known as the  
16 Regional Greenhouse Gas Initiative, established through a  
17 Memorandum of Understanding signed by the governors of several  
18 states on December 20, 2005.

19 (b) The Governor shall establish and maintain a greenhouse gas  
20 emissions allowance trading program that effectuates the State's  
21 full participation in the Regional Greenhouse Gas Initiative.

22 (c) The greenhouse gas emissions allowance trading program  
23 established by the Governor pursuant to subparagraph (b) of this  
24 paragraph shall be implemented in a manner consistent with the  
25 provisions of P.L.2007, c.340 (C.26:2C-45 et seq.), as amended and  
26 supplemented, provided, however, no provision of P.L.2007, c.340,  
27 or any other law, shall in any manner nullify or diminish the duty  
28 imposed on the Governor pursuant to subparagraph (b) of this  
29 paragraph.

30 (d) Any revenue realized by the State from participation in the  
31 Regional Greenhouse Gas Initiative shall be dedicated solely to  
32 fund programs, as enumerated in P.L.2007, c.340, to promote  
33 renewable energy, energy efficiency, energy demand reduction,  
34 greenhouse gas reduction, and forest stewardship.

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36 2. When this proposed amendment to the Constitution is finally  
37 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it  
38 shall be submitted to the people at the next general election  
39 occurring more than three months after the final agreement and  
40 shall be published at least once in at least one newspaper of each  
41 county designated by the President of the Senate, the Speaker of the  
42 General Assembly and the Secretary of State, not less than three  
43 months prior to the general election.

44 3. This proposed amendment to the Constitution shall be  
45 submitted to the people at that election in the following manner and  
46 form:

47 There shall be printed on each official ballot to be used at the  
48 general election, the following:

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1 a. In every municipality in which voting machines are not used, a  
2 legend which shall immediately precede the question as follows:

3 If you favor the proposition printed below make a cross (X), plus  
4 (+), or check (✓) in the square opposite the word "Yes." If you are  
5 opposed thereto make a cross (X), plus (+) or check (✓) in the  
6 square opposite the word "No."

7 b. In every municipality the following question:  
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	YES	<p>CONSTITUTIONAL AMENDMENT TO REQUIRE THE STATE TO BE PART OF THE REGIONAL GREENHOUSE GAS INITIATIVE</p> <p>Do you approve amending the New Jersey Constitution to require the State to be part of the "Regional Greenhouse Gas Initiative?" This initiative is a joint effort among several northeastern states to reduce carbon dioxide emissions. Any monies received by the State for being part of that effort would be used for clean energy and greenhouse gas reduction programs.</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>This constitutional amendment would require the State to be part of the "Regional Greenhouse Gas Initiative," commonly known as "RGGI." RGGI is a joint effort among several northeastern states to reduce the release of carbon dioxide from power plants. Carbon dioxide is a type of greenhouse gas. Too much carbon dioxide in the earth's atmosphere is thought to affect climate.</p> <p>New Jersey was part of RGGI from 2005, when it began, until the State withdrew in 2011. This amendment would require the State to be part of RGGI again.</p> <p>Any monies received by the State from being in RGGI would be used to promote renewable energy, energy efficiency, energy demand reduction, greenhouse gas reduction, and forest stewardship.</p>

STATEMENT

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This concurrent resolution proposes an amendment to the State Constitution that would require the State to fully participate in the Regional Greenhouse Gas Initiative (RGGI) and dedicate any revenues realized therefrom to clean energy and greenhouse gas reduction programs.

RGGI is a cooperative effort among several northeastern states to reduce carbon dioxide emissions. New Jersey participated in RGGI from its inception in December 2005 until it withdrew in December 2011. Current law, pursuant to P.L.2007, c.340 (C.26:2C-45 et seq.), authorizes, but does not mandate, the State's participation in RGGI. P.L.2007, c.340 also sets forth a framework and various requirements for a greenhouse gas emissions allowance trading program through which the State's participation in RGGI may be implemented.

This proposed constitutional amendment would require the Governor to establish and maintain a greenhouse gas emissions allowance trading program that effectuates the State's full participation in RGGI. The proposed constitutional amendment would further require the Governor to implement the greenhouse gas emissions allowance trading program in a manner consistent with the provisions of P.L.2007, c.340. However, no provision of P.L.2007, c.340, or any other law, would in any manner nullify or diminish the duty imposed on the Governor to establish and maintain a greenhouse gas emissions allowance trading program that effectuates the State's full participation in RGGI.

The proposed constitutional amendment would also provide that any revenue realized by the State from participation in RGGI would be dedicated solely to fund programs, as enumerated in P.L.2007, c.340, to promote renewable energy, energy efficiency, energy demand reduction, greenhouse gas reduction, and forest stewardship.