

**SENATE CONCURRENT
RESOLUTION No. 162**

**STATE OF NEW JERSEY
215th LEGISLATURE**

INTRODUCED SEPTEMBER 30, 2013

Sponsored by:
Senator RAYMOND J. LESNIAK
District 20 (Union)

SYNOPSIS

Amends Constitution to require State's participation in Regional Greenhouse Gas Initiative.

CURRENT VERSION OF TEXT

As introduced.



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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 of
8 the 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.

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

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40 3. This proposed amendment to the Constitution shall be
41 submitted to the people at that election in the following manner and
42 form:

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

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

47 If you favor the proposition printed below make a cross (X), plus
48 (+), or check (✓) in the square opposite the word "Yes." If you are

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1 opposed thereto make a cross (X), plus (+) or check (✓) in the
2 square opposite the word "No."

3 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.</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> |

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STATEMENT

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10 This concurrent resolution proposes an amendment to the State
11 Constitution that would require the State to fully participate in the
12 Regional Greenhouse Gas Initiative (RGGI).

13 RGGI is a cooperative effort among several northeastern states to
14 reduce carbon dioxide emissions. New Jersey participated in RGGI
15 from its inception in December 2005 until it withdrew in December
16 2011. Current law, pursuant to P.L.2007, c.340 (C.26:2C-45 et
17 seq.), authorizes, but does not mandate, the State's participation in
18 RGGI. P.L.2007, c.340 also sets forth a framework and various
19 requirements for a greenhouse gas emissions allowance trading

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1 program through which the State's participation in RGGI may be
2 implemented.

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