

**SENATE CONCURRENT
RESOLUTION No. 163**

**STATE OF NEW JERSEY
216th LEGISLATURE**

INTRODUCED MAY 7, 2015

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators P.Barnes, III, Codey, Lesniak, Scutari and Vitale

SYNOPSIS

Amends Constitution to dedicate all State moneys received from settlements and awards in cases of environmental contamination for certain environmental purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/9/2015)

1 A **CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II of the Constitution of the State of New Jersey by
3 adding a new paragraph thereto.

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

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

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11 **PROPOSED AMENDMENT**

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13 Amend Article VIII, Section II by adding a new paragraph 9 to
14 read as follows:

15 9. There shall be credited annually to a special account in the
16 General Fund an amount equivalent to the revenue annually derived
17 from all settlements and judicial and administrative awards
18 collected by the State in connection with claims based on
19 environmental contamination.

20 The amount annually credited pursuant to this paragraph shall be
21 dedicated, and shall be appropriated from time to time by the
22 Legislature, only for paying for costs incurred by the State to repair
23 damage to, restore, or permanently protect the State's natural
24 resources, for the payment of the principal or interest on any
25 general obligation bond approved by the voters prior to July 1, 2015
26 and authorized to be issued for environmental purposes, as defined
27 by law, or any refunding bond connected therewith, or for any of
28 the purposes enumerated in Article VIII, Section II, paragraph 6 of
29 the State Constitution, except that no moneys appropriated pursuant
30 to this paragraph may be expended for any direct or indirect
31 administrative costs of the State or its departments, agencies, or
32 authorities.

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

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

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

1 a. In every municipality in which voting machines are not used,
 2 a 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 style="text-align: center;">CONSTITUTIONAL AMENDMENT DEDICATING MONEYS FROM STATE ENVIRONMENTAL CONTAMINATION CASES</p> <p>Do you approve amending the Constitution to dedicate all money collected by the State in cases of contamination of the environment? The money would have to be used only for environmental purposes. The money may also be used to repay bonds that have already been issued to fund environmental programs.</p>
	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This amendment would dedicate all moneys collected by the State through settlements or awards for legal claims based on environmental contamination. These moneys would be dedicated solely for environmental purposes. These purposes could include preserving, repairing, or restoring natural resources. They may also include cleaning contaminated sites and underground storage tank sites, or funding water quality programs. Currently, these moneys may be used for any State purpose.</p>

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STATEMENT

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13 This constitutional amendment would dedicate all moneys from
 14 settlements and awards collected by the State in connection with
 15 legal claims based on environmental contamination. The amount
 16 dedicated may be used only to repair damage to, restore, or
 17 permanently protect the State's natural resources, repay general
 18 obligation bonds approved by the voters prior to July 1, 2015 and
 19 authorized to be issued for environmental purposes, and for any of
 20 the purposes enumerated in Article VIII, Section II, paragraph 6 of
 21 the State Constitution. Those constitutionally enumerated purposes
 22 include providing funding for open space, farmland, and historic

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1 preservation, water quality projects, the remediation of discharges
2 of hazardous substances, and the upgrade, replacement, or closure
3 of underground storage tanks. However, none of the moneys
4 dedicated and appropriated pursuant to this constitutional
5 amendment may be expended for any direct or indirect
6 administrative costs of the State or its departments, agencies, or
7 authorities.