

[First Reprint]

**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:

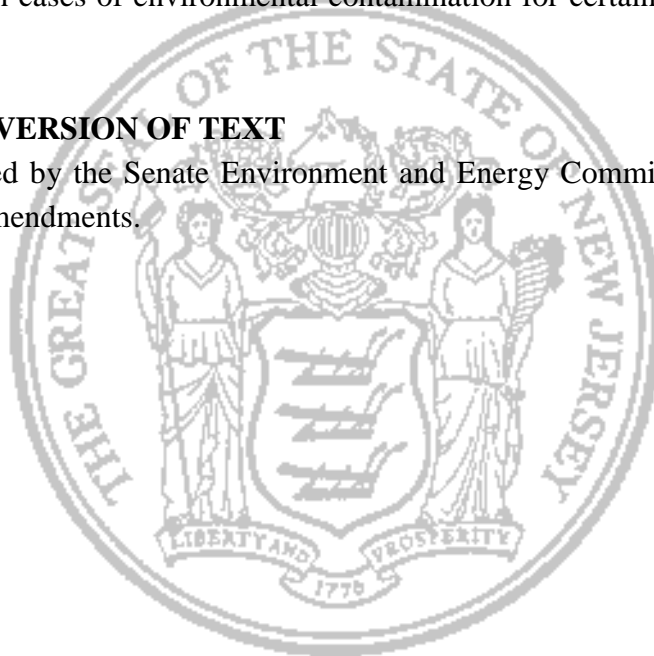
**Senators P.Barnes, III, Codey, Lesniak, Scutari, Vitale, Turner, Weinberg
and Sarlo**

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 reported by the Senate Environment and Energy Committee on June 8, 2015, with amendments.



(Sponsorship Updated As Of: 6/23/2015)

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.

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

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

10
11 PROPOSED AMENDMENT

12
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, ¹for 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,¹ or for any of
28 the purposes enumerated in Article VIII, Section II, paragraph 6 of
29 the State Constitution, except that no ¹more than five percent of
30 the¹ moneys appropriated pursuant to this paragraph may be
31 expended for ¹any direct or indirect¹ administrative costs of the
32 State or its departments, agencies, or authorities ¹for the purposes
33 authorized in this paragraph¹.

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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted June 8, 2015.

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

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

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

8 If you favor the proposition printed below make a cross (X), plus
 9 (+), or check (✓) in the square opposite the word "Yes." If you are
 10 opposed thereto make a cross (X), plus (+) or check (✓) in the
 11 square opposite the word "No."

12 b. In every municipality the following question:
 13

	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 1money <u>moneys</u>1 collected by the State in cases of contamination of the environment? The 1money <u>moneys</u>1 would have to be used only for environmental purposes. 1The money may also be used to repay bonds that have already been issued to fund environmental programs.1</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, 1or1 <u>funding water quality programs</u> 1, <u>or preserving open space, farmland, or historic buildings or sites</u>1 . Currently, these moneys may be used for any State purpose.</p>