

**ASSEMBLY CONCURRENT
RESOLUTION No. 127**

**STATE OF NEW JERSEY
217th LEGISLATURE**

INTRODUCED FEBRUARY 4, 2016

Sponsored by:
Assemblyman JOHN F. MCKEON
District 27 (Essex and Morris)

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.



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 General Assembly of the State of New
6 Jersey (the Senate concurring):

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

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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, or for any of the purposes enumerated in Article VIII,
25 Section II, paragraph 6 of the State Constitution, except that no
26 more than five percent of the moneys appropriated pursuant to this
27 paragraph may be expended for administrative costs of the State or
28 its departments, agencies, or authorities for the purposes authorized
29 in this 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 style="text-align: center;">CONSTITUTIONAL AMENDMENT DEDICATING MONEYS FROM STATE ENVIRONMENTAL CONTAMINATION CASES</p> <p>Do you approve amending the Constitution to dedicate all moneys collected by the State in cases of contamination of the environment? The moneys would have to be used only for environmental purposes.</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, funding water quality programs , or preserving open space, farmland, or historic buildings or sites. Currently, these moneys may be used for any State purpose.</p>

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STATEMENT

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9 This constitutional amendment would dedicate all moneys from
10 settlements and awards collected by the State in connection with
11 legal claims based on environmental contamination. The amount
12 dedicated may be used only to repair damage to, restore, or
13 permanently protect the State's natural resources, and for any of the
14 purposes enumerated in Article VIII, Section II, paragraph 6 of the
15 State Constitution. Those constitutionally enumerated purposes
16 include providing funding for cleaning contaminated sites and
17 underground storage tank sites, water quality programs, and
18 preserving open space, farmland, and historic buildings or sites. In
19 addition, no more than five percent of the moneys dedicated and
20 appropriated annually pursuant to this constitutional amendment
21 may be expended for administrative costs of the State or its
22 departments, agencies, or authorities for the authorized purposes.