The Senate Environment and Energy Committee favorably reports Senate Concurrent Resolution No. 84.

This constitutional amendment would dedicate 6% of Corporation Business Tax revenues annually for the next 30 years, from Fiscal Year 2016 through Fiscal Year 2045, to finance the State’s programs for open space preservation, farmland preservation, and historic preservation. The specific allocation for each of these purposes would be established by law. The amendment also allows for the dedicated monies to be used for stewardship activities and administrative costs associated with the programs.

The constitutional amendment also recognizes a special funding category under open space preservation, referred to as the “Blue Acres” program, for the acquisition, for recreation and conservation purposes, of lands that have incurred flood or storm damage or are likely to do so, or that may buffer or protect other properties from flood or storm damage. Properties are purchased from willing sellers only. The Blue Acres program is administered by the Department of Environmental Protection’s Green Acres Program.

This proposed amendment to the State Constitution would provide a dedicated, stable source of funding to continue the State’s current programs for open space, including flood prone lands, farmland preservation, and historic preservation implemented pursuant to Article VIII, Section II, paragraph 7 of the State Constitution, the “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), and various bond acts passed by the voters of this State over the last 50 years.

The constitutional amendment would also cancel the current constitutional dedication of 4% of Corporation Business Tax revenues for remediation of discharges of hazardous substances, funding loans and grants for underground storage tanks, financing water quality programs, providing loans and grants for air pollution control equipment to control emission from diesel-powered engines, and funding for the development of lands for recreation and conservation purposes. The amendment would instead dedicate revenue annually derived from natural resource damages and fines collected by the State from violations of environmental laws to provide funding for loans and grants for the upgrade, replacement, or closure of underground storage facilities.
tanks that store or were used to store hazardous substances and for the costs of remediating any discharge therefrom and for State-funded remediation of discharges of hazardous substances. The amendment would allocate 25% of the fines and natural resource damage revenue for underground storage tank programs and 75% for State remediation of discharges of hazardous substances.