

**SENATE CONCURRENT
RESOLUTION No. 30**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Senators Codey, Vitale, Cruz-Perez, Diegnan, Turner, Weinberg, Gopal, Gill, Singer, Madden, Ruiz, Cunningham, Addiego, Lagana, Schepisi, T.Kean and Rice

SYNOPSIS

Proposes constitutional amendment to make State trustee of public natural resources and guarantee to the people other environmental rights.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/30/2021)

1 **A CONCURRENT RESOLUTION** proposing to amend Article I of the
2 New Jersey Constitution by adding a new paragraph.

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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 I by adding a new paragraph 24 to read as
13 follows:

14 24. (a) Every person has a right to a clean and healthy
15 environment, including pure water, clean air, and ecologically
16 healthy habitats, and to the preservation of the natural, scenic,
17 historic, and esthetic qualities of the environment. The State shall
18 not infringe upon these rights, by action or inaction.

19 (b) The State's public natural resources, among them its waters,
20 air, flora, fauna, climate, and public lands, are the common property
21 of all the people, including both present and future generations.
22 The State shall serve as trustee of these resources, and shall
23 conserve and maintain them for the benefit of all people.

24 (c) This paragraph and the rights stated herein are (1) self-
25 executing, and (2) shall be in addition to any rights conferred by the
26 public trust doctrine or common law.

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

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

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

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

44 If you favor the proposition printed below make a cross (X), plus
45 (+), or check (✓) in the square opposite the word "Yes." If you are
46 opposed thereto make a cross (X), plus (+) or check (✓) in the
47 square opposite the word "No."

48 b. In every municipality the following question:

	YES	<p style="text-align: center;">CONSTITUTIONAL AMENDMENT TO ENSURE THE PEOPLE’S ENVIRONMENTAL RIGHTS</p> <p>Do you approve amending the Constitution to grant every person the right to a clean and healthy environment? The amendment would also require the State to protect public natural resources.</p>
	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This amendment provides that every person has a constitutional right to a clean environment. This includes the right to clean air, pure water, and healthy habitats. The amendment would require the State to preserve public natural resources. The State would also be required to prevent others from destroying or damaging public natural resources.</p>

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SCHEDULE

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STATEMENT

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This constitutional amendment shall become part of the Constitution on March 1 next following the general election at which it is approved by the voters.

This concurrent resolution proposes an amendment to the State Constitution that would grant every person the right to a clean and healthy environment, and make the State the trustee of all public natural resources.

Specifically, the proposed constitutional amendment would provide that every person has a right to a clean and healthy environment, including pure water, clean air, and ecologically healthy habitats, and to the preservation of the natural, scenic, historic, and aesthetic qualities of the environment. The amendment provides that the State shall not infringe upon these rights, by action or inaction.

The amendment would also provide that the State’s public natural resources, including its waters, air, flora, fauna, climate, and public lands, are the common property of all of the people, including both present and future generations. The State would serve as trustee of these resources and have a duty to conserve and maintain them for the benefit of all people.

Finally, the amendment would provide that the rights established in the amendment are self-executing, and are in addition to any rights conferred by the public trust doctrine or common law.