

# SENATE CONCURRENT RESOLUTION No. 12

## STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator BENNETT

1 A CONCURRENT RESOLUTION proposing to amend Article VIII, Section II  
2 of the Constitution of the State of New Jersey.

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

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

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### 10 PROPOSED AMENDMENT

11 Amend Article VIII, Section II, by the addition of a new paragraph 5 to  
12 read as follows:

13 5. There shall be credited annually to a special account in the General  
14 Fund an amount equivalent to 5% of the revenue annually derived from the tax  
15 imposed pursuant to the "Corporation Business Tax Act (1945)," P.L.1945,  
16 c.162 (C.54:10A-1 et seq.), as amended and supplemented, or any other  
17 State law of similar effect. This amount shall be appropriated from time to  
18 time by the Legislature only for the purposes of paying or financing the cost of  
19 the cleanup or remediation of discharges of hazardous substances. It shall not  
20 be competent for the Legislature, under any pretense whatever, to borrow,  
21 appropriate or use this amount, or any portion thereof, for any purpose other  
22 than the cleanup or remediation of discharges of hazardous substances.

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

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

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

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

5 If you favor the proposition printed below make a cross (x), plus (+) or  
 6 check (O) in the square opposite the word "Yes." If you are opposed thereto  
 7 make a cross (x), plus (+) or check (O) in the square opposite the word "No."

8 b. In every municipality the following question:

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<p>10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26</p>	<p>YES</p>	<p>DEDICATION OF 5% OF CORPORATION                  BUSINESS TAX REVENUE TO FUND                  CLEANUP OR REMEDIATION OF                  HAZARDOUS DISCHARGES</p> <p>Shall the amendment to Article VIII, Section II, of                  the Constitution of the State of New Jersey, agreed                  to by the Legislature, to provide that an amount                  equivalent to 5% of the revenue annually derived                  from the imposition of the Corporation Business                  Tax, or any other State law of similar effect, be                  deposited in a special account, which could be                  appropriated by the Legislature only for the                  purpose of funding the cost of the cleanup or                  remediation of discharges of hazardous substances,                  be approved?</p>
<p>27 28 29 30 31 32 33 34 35 36 37 38 39 40</p>	<p>NO</p>	<p>INTERPRETIVE STATEMENT</p> <p>Approval of this proposed constitutional                  amendment would provide that an amount                  equivalent to 5% of the revenue annually derived                  from the Corporation Business Tax, or any other                  State law of similar effect, be deposited in a special                  account, which could be appropriated by the                  Legislature only for the purpose of funding the cost                  of the cleanup or remediation of hazardous                  discharge sites. At current collection levels, the                  dedication established by this constitutional                  amendment would provide approximately \$50                  million per year for hazardous discharge cleanup.</p>

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STATEMENT

This concurrent resolution would amend Article VIII, Section II, of the State Constitution. The proposed amendment provides that an amount equal to 5% of the revenue annually derived from the imposition of the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), or any other State law of similar effect, would be deposited in a special account, the moneys in which could be appropriated by the Legislature only for the purpose of funding the cost of the cleanup or remediation of hazardous discharge sites. At current collection levels, the dedication established by this proposed constitutional amendment would provide approximately \$50 million per year for hazardous discharge cleanup.

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Amends Constitution to dedicate 5% of Corporation Business Tax revenue to fund hazardous discharge cleanup.