

Article VIII, Section II, Paragraph 4 New Jersey Constitution

LEGISLATIVE HISTORY CHECKLIST

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(Authorizes use of dedicated Corporation Business Tax revenues for financing loans or grants for hazardous discharge cleanups)

New Jersey Constitution: Article VIII, Section II, Paragraph 4

BILL NO: SCR61

SPONSOR: Bennett, Codey, McNamara, Suliga, Ciesla, Alder, Lance, Smith, Gusciora, Cohen, Corodemus, Buono, Greenstein

DATE INTRODUCED: 6/6/2002

COMMITTEE: **Assembly:** Environment and Solid Waste; Appropriations
Senate: Environment

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/23/2003

SENATE: 6/16/2003

FILED WITH SECRETARY OF STATE: 6/24/2003

DATE OF ADOPTION: 11/4/2003

EFFECTIVE: 12/4/2003

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

SPONSOR'S STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS:

No

974.90 Public hearing before Senate Environment Committee : Senate concurrent resolution no. 61 (proposes C758 constitutional amendment to authorize use of dedicated Corporation Business Tax revenues for financing 2003 grants and loans for hazardous discharge cleanups) : [May 15, 2003, Trenton, New Jersey]

NEWSPAPER ARTICLES:

Yes

Fink Journal staff writer, J. (2003, September 29). Open space tax on ballot in Nov.. *Jersey Journal, The (Jersey City, N.J.)*, p. A1

Press, A. (2003, October 2). Questions on November ballot. *Times, The (Trenton, NJ)*, p. A15

Fink Journal staff writer, J. (2003, October 30). Taxing question: Open space fund up to voters. *Jersey Journal, The (Jersey City, N.J.)*, p. A1

staff, J. (2003, October 30). Election Tuesday will fill council seat vacated when Russo resigned. *Waterfront Journal, The (NJ)*, p. A3

Fink Journal staff writer, J. (2003, November 3). State, local races on ballot tomorrow. *Jersey Journal, The (Jersey City, N.J.)*, p. A1

KA

**SENATE CONCURRENT
RESOLUTION No. 61**

**STATE OF NEW JERSEY
210th LEGISLATURE**

INTRODUCED JUNE 6, 2002

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Mercer and Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex)

Co-Sponsored by:

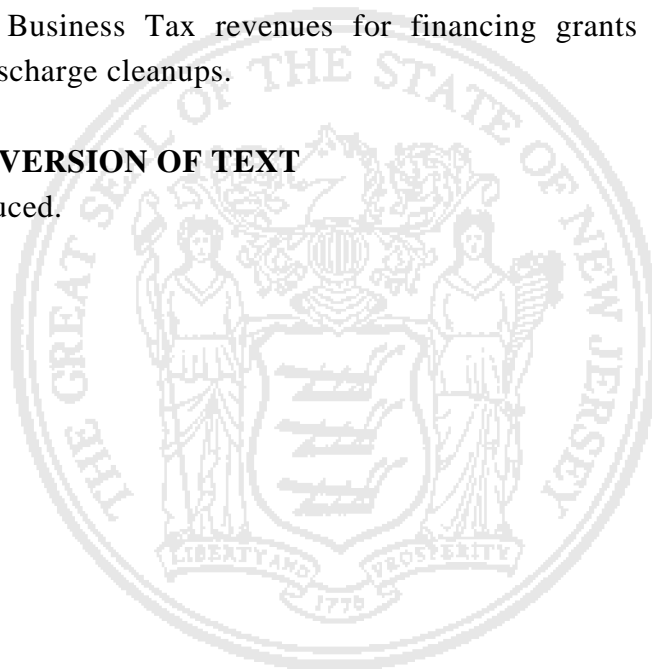
Senators Adler and Buono

SYNOPSIS

Proposes Constitutional Amendment to authorize use of dedicated Corporation Business Tax revenues for financing grants and loans for hazardous discharge cleanups.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2003)

SCR61 BENNETT, CODEY

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1 A **CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II, paragraph 6 of the Constitution of the State of New
3 Jersey.

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 is
9 agreed to:

10
11 PROPOSED AMENDMENT

12
13 Amend Article VIII, Section II, paragraph 6 to read as follows:

14 6. There shall be credited annually to a special account in the
15 General Fund an amount equivalent to 4% of the revenue annually
16 derived from the tax imposed pursuant to the "Corporation Business
17 Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended
18 and supplemented, or any other State law of similar effect.

19 The amount annually credited pursuant to this paragraph shall be
20 dedicated and shall be appropriated from time to time by the
21 Legislature only for the following purposes: paying or financing costs
22 incurred by the State for the remediation of discharges of hazardous
23 substances, which costs may include performing necessary operation
24 and maintenance activities relating to remedial actions and costs
25 incurred for providing alternative sources of public or private water
26 supplies, when a water supply has been, or is suspected of being,
27 contaminated by a hazardous substance discharge; providing funding,
28 including the provision of loans or grants, for the upgrade,
29 replacement, or closure of underground storage tanks that store or
30 were used to store hazardous substances, and for the costs of
31 remediating any discharge therefrom; providing funding, including the
32 provision of loans or grants, for the costs of the remediation of
33 discharges of hazardous substances; and for paying or financing the
34 cost of water quality point and nonpoint source pollution monitoring,
35 watershed based water resource planning and management, and
36 nonpoint source pollution prevention projects.

37 It shall not be competent for the Legislature, under any pretense
38 whatever, to borrow, appropriate, or use the amount credited to the
39 special account pursuant to this paragraph, or any portion thereof, for
40 any purpose or in any manner other than as enumerated in this
41 paragraph. It shall not be competent for the Legislature, under any
42 pretense whatever, to borrow, appropriate, or use the amount credited
43 to the special account pursuant to this paragraph, or any portion

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

Matter underlined thus is new matter.

SCR61 BENNETT, CODEY

1 thereof, for the payment of the principal or interest on any general
2 obligation bond that was approved by the voters prior to this
3 paragraph becoming part of this Constitution.

4 (a) A minimum of one-sixth of the amount annually credited
5 pursuant to this paragraph, or a minimum of an amount equal to
6 \$5,000,000.00 per year, whichever is less, shall be dedicated, and shall
7 be appropriated from time to time by the Legislature, only for paying
8 or financing the cost of water quality point and nonpoint source
9 pollution monitoring, watershed based water resource planning and
10 management, and nonpoint source pollution prevention projects.

11 (b) A minimum of one-third of the amount annually credited
12 pursuant to this paragraph shall be dedicated, and shall be
13 appropriated from time to time by the Legislature, only for providing
14 funding, including the provision of loans or grants, for the upgrade,
15 replacement, or closure of underground storage tanks that store or
16 were used to store hazardous substances, and for the costs of
17 remediating any discharge therefrom[, except that the dedication of
18 moneys pursuant to this subparagraph (b) shall expire on December
19 31, 2008 and may thereafter be dedicated and appropriated from time
20 to time by the Legislature for any of the purposes authorized pursuant
21 to subparagraphs (a), (b), or (c) of this paragraph], and for providing
22 funding, including the provision of loans or grants, for the costs of the
23 remediation of discharges of hazardous substances. All moneys
24 derived from repayments of any loan issued from the amount
25 dedicated pursuant to this subparagraph (b) shall be dedicated, and
26 shall be appropriated from time to time by the Legislature, only for the
27 purposes authorized pursuant to this subparagraph (b). The dedication
28 of moneys derived from loan repayments shall not expire. No moneys
29 appropriated pursuant to this subparagraph (b) may be expended on
30 any direct or indirect administrative costs of the State or any of its
31 departments, agencies, or authorities. No moneys appropriated
32 pursuant to this subparagraph (b) may be expended on any upgrade,
33 replacement, or closure of any underground storage tank, or for the
34 remediation of any discharge therefrom, for any underground storage
35 tank owned by the State or any of its departments, agencies, or
36 authorities, or for costs incurred by the State for the remediation of
37 discharges of hazardous substances.

38 (c) A minimum of one-half of the amount annually credited
39 pursuant to this paragraph shall be dedicated, and shall be
40 appropriated from time to time by the Legislature, only for paying or
41 financing costs incurred by the State for the remediation of discharges
42 of hazardous substances, which costs may include performing
43 necessary operation and maintenance activities relating to remedial
44 actions and costs incurred for providing alternative sources of public
45 or private water supplies, when a water supply has been, or is
46 suspected of being, contaminated by a hazardous substance discharge.

SCR61 BENNETT, CODEY

1 No moneys appropriated pursuant to this subparagraph (c) may be
2 expended for any indirect administrative costs of the State, its
3 departments, agencies, or authorities. No more than nine percent of
4 the moneys annually credited pursuant to this paragraph, which shall
5 be taken from the amount dedicated pursuant to this subparagraph (c),
6 may be expended for any direct program administrative costs of the
7 State, its departments, agencies, or authorities. If the Legislature
8 dedicates for the purposes of this subparagraph (c) any moneys above
9 the minimum that is required to be dedicated pursuant to this
10 subparagraph (c), those moneys may not be expended for any direct or
11 indirect administrative costs of the State, its departments, agencies, or
12 authorities.

13 (cf: Art.VIII, Sec.II, par.6)

14

15 2. When this proposed amendment to the Constitution is finally
16 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
17 shall be submitted to the people at the next general election occurring
18 more than three months after the final agreement and shall be
19 published at least once in at least one newspaper of each county
20 designated by the President of the Senate, the Speaker of the General
21 Assembly and the Secretary of State, not less than three months prior
22 to the general election.

23

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

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

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

30 If you favor the proposition printed below make a cross (X), plus
31 (+), or check (T) in the square opposite the word "Yes." If you are
32 opposed thereto make a cross (X), plus (+) or check (T) in the square
33 opposite the word "No."

b. In every municipality the following question:

	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT TO EXPAND USES OF DEDICATED TAX REVENUE TO FINANCE HAZARDOUS DISCHARGE CLEANUPS</p> <p>Shall the amendment to Article VIII, Section II, paragraph 6 of the Constitution of the State of New Jersey, expanding the authorized uses of the constitutionally dedicated Corporation Business Tax revenue, to include funding the costs of the remediation of hazardous discharges, be approved?</p>
	<p>NO</p>	<p>INTERPRETIVE STATEMENT</p> <p>Approval of this proposed amendment to the Constitution of the State of New Jersey would expand the authorized uses of the constitutionally dedicated Corporation Business Tax revenues to allow funding, including the provision of loans or grants, for the costs of remediation of discharges of hazardous substances. Since 1996, 4% of the annual revenue from the Corporation Business Tax has been constitutionally dedicated, with a minimum of one-half allocated for hazardous discharge cleanup performed by the State, a minimum of one sixth or a minimum of \$5 million allocated for water quality projects and, until December 31, 2008, a minimum of one third allocated for financing grants and loans for underground storage tank upgrades, replacements, closures and remediations. This constitutional amendment would, without increasing taxes, expand the authorized uses of the one third dedicated to underground storage tank projects, to allow that portion to be used also for financing grants and loans to remediate hazardous substance discharges and, by removing the December 31, 2008 date, would continue its allocation for those purposes only.</p>

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1 STATEMENT

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3 This Senate Concurrent Resolution proposes an amendment to
4 Article VIII, Section II, paragraph 6 of the State Constitution. That
5 provision dedicates four percent of the revenues derived from the
6 Corporation Business Tax to three purposes: (1) paying costs
7 incurred by the State for the remediation of discharges of hazardous
8 substances; 2) providing funding for the upgrade, replacement and
9 cleanup of underground storage tanks; and 3) nonpoint source
10 pollution programs and watershed planning and monitoring.
11 Currently, one half of the annual amount is dedicated for State funded
12 hazardous site cleanup, one third is dedicated for grants and loans for
13 underground storage tank replacement, removal and cleanup; and a
14 minimum of one sixth or \$5 million is dedicated for clean water
15 programs. The third that is dedicated for underground storage tank
16 programs must be used for that purpose until December 31, 2008.
17 After that time, that portion may be used for any of the three
18 authorized purposes. This proposed amendment to the Constitution
19 would allow that one third portion also to be used for providing loans
20 or grants to finance hazardous discharge cleanups. The amendment
21 would remove the December 31, 2008 date as well, so that one third
22 of the dedicated funds would always be required to be allocated for the
23 two authorized purposes.

**ASSEMBLY CONCURRENT
RESOLUTION No. 153**

**STATE OF NEW JERSEY
210th LEGISLATURE**

INTRODUCED JANUARY 23, 2003

Sponsored by:

Assemblyman REED GUSCIORA

District 15 (Mercer)

Assemblyman NEIL M. COHEN

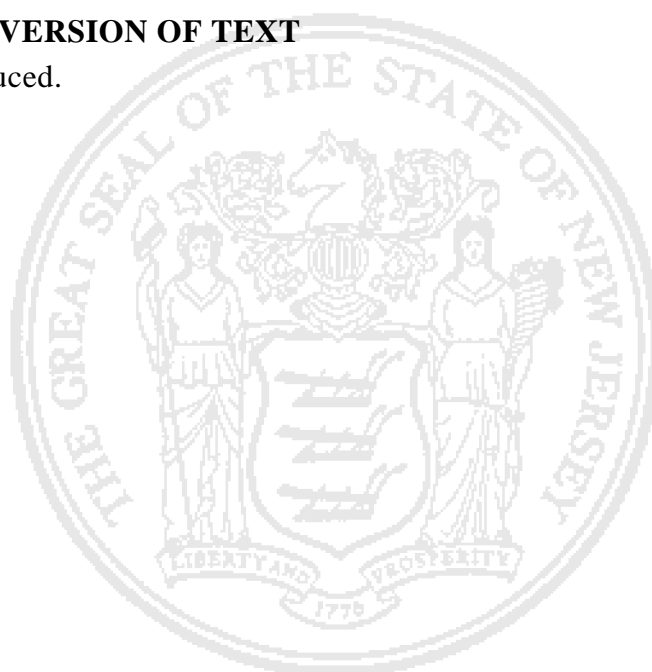
District 20 (Union)

SYNOPSIS

Proposes Constitutional Amendment to authorize use of already dedicated Corporation Business Tax Revenues for grants and loans for remediation of hazardous substance discharges.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/4/2003)

1 **A CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II, paragraph 6 of the Constitution of the State of New
3 Jersey.

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

7
8 1. The following proposed amendment to the Constitution is
9 agreed to:

10
11 **PROPOSED AMENDMENT**

12
13 Amend Article VIII, Section II, paragraph 6 to read as follows:

14 6. There shall be credited annually to a special account in the
15 General Fund an amount equivalent to 4% of the revenue annually
16 derived from the tax imposed pursuant to the "Corporation Business
17 Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended
18 and supplemented, or any other State law of similar effect.

19 The amount annually credited pursuant to this paragraph shall be
20 dedicated and shall be appropriated from time to time by the
21 Legislature only for the following purposes: paying or financing costs
22 incurred by the State for the remediation of discharges of hazardous
23 substances, which costs may include performing necessary operation
24 and maintenance activities relating to remedial actions and costs
25 incurred for providing alternative sources of public or private water
26 supplies, when a water supply has been, or is suspected of being,
27 contaminated by a hazardous substance discharge; commencing on
28 January 1, 2004, providing funding, including the provision of loans
29 or grants, for the costs of the remediation of discharges of hazardous
30 substances; providing funding, including the provision of loans or
31 grants, for the upgrade, replacement, or closure of underground
32 storage tanks that store or were used to store hazardous substances,
33 and for the costs of remediating any discharge therefrom; and for
34 paying or financing the cost of water quality point and nonpoint source
35 pollution monitoring, watershed based water resource planning and
36 management, and nonpoint source pollution prevention projects.

37 It shall not be competent for the Legislature, under any pretense
38 whatever, to borrow, appropriate, or use the amount credited to the
39 special account pursuant to this paragraph, or any portion thereof, for
40 any purpose or in any manner other than as enumerated in this
41 paragraph. It shall not be competent for the Legislature, under any
42 pretense whatever, to borrow, appropriate, or use the amount credited
43 to the special account pursuant to this paragraph, or any portion

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.

1 thereof, for the payment of the principal or interest on any general
2 obligation bond that was approved by the voters prior to this
3 paragraph becoming part of this Constitution.

4 (a) A minimum of one-sixth of the amount annually credited
5 pursuant to this paragraph, or a minimum of an amount equal to
6 \$5,000,000.00 per year, whichever is less, shall be dedicated, and shall
7 be appropriated from time to time by the Legislature, only for paying
8 or financing the cost of water quality point and nonpoint source
9 pollution monitoring, watershed based water resource planning and
10 management, and nonpoint source pollution prevention projects.

11 (b) A minimum of one-third of the amount annually credited
12 pursuant to this paragraph shall be dedicated, and shall be
13 appropriated from time to time by the Legislature, only for providing
14 funding, including the provision of loans or grants, for the upgrade,
15 replacement, or closure of underground storage tanks that store or
16 were used to store hazardous substances, and for the costs of
17 remediating any discharge therefrom, [except that the dedication of
18 moneys pursuant to this subparagraph (b) shall expire on December
19 31, 2008 and may thereafter be dedicated and appropriated from time
20 to time by the Legislature for any of the purposes authorized pursuant
21 to subparagraphs (a), (b), or (c) of this paragraph] and, commencing
22 on January 1, 2004, for providing funding, including the provision of
23 grants and loans, for the costs of the remediation of discharges of
24 hazardous substances . All moneys derived from repayments of any
25 loan issued from the amount dedicated pursuant to this subparagraph
26 (b) shall be dedicated, and shall be appropriated from time to time by
27 the Legislature, only for the purposes authorized pursuant to this
28 subparagraph (b). [The dedication of moneys derived from loan
29 repayments shall not expire.] No moneys appropriated pursuant to
30 this subparagraph (b) may be expended on any direct or indirect
31 administrative costs of the State or any of its departments, agencies,
32 or authorities. No moneys appropriated pursuant to this subparagraph
33 (b) may be expended on any upgrade, replacement, or closure of any
34 underground storage tank, or for the remediation of any discharge
35 therefrom, for any underground storage tank owned by the State or
36 any of its departments, agencies, or authorities , or for costs incurred
37 by the State for the remediation of discharges of hazardous substances.

38 (c) A minimum of one-half of the amount annually credited
39 pursuant to this paragraph shall be dedicated, and shall be
40 appropriated from time to time by the Legislature, only for paying or
41 financing costs incurred by the State for the remediation of discharges
42 of hazardous substances, which costs may include performing
43 necessary operation and maintenance activities relating to remedial
44 actions and costs incurred for providing alternative sources of public
45 or private water supplies, when a water supply has been, or is
46 suspected of being, contaminated by a hazardous substance discharge.

1 No moneys appropriated pursuant to this subparagraph (c) may be
2 expended for any indirect administrative costs of the State, its
3 departments, agencies, or authorities. No more than nine percent of
4 the moneys annually credited pursuant to this paragraph, which shall
5 be taken from the amount dedicated pursuant to this subparagraph (c),
6 may be expended for any direct program administrative costs of the
7 State, its departments, agencies, or authorities. If the Legislature
8 dedicates for the purposes of this subparagraph (c) any moneys above
9 the minimum that is required to be dedicated pursuant to this
10 subparagraph (c), those moneys may not be expended for any direct or
11 indirect administrative costs of the State, its departments, agencies, or
12 authorities.

13 (cf: Article VIII, Section II, paragraph 6, added effective December 5,
14 1996)

15

16 2. When this proposed amendment to the Constitution is finally
17 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
18 shall be submitted to the people at the next general election occurring
19 more than three months after the final agreement and shall be
20 published at least once in at least one newspaper of each county
21 designated by the President of the Senate, the Speaker of the General
22 Assembly and the Secretary of State, not less than three months prior
23 to the general election.

24

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

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

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

31 If you favor the proposition printed below make a cross (X), plus
32 (+), or check (T) in the square opposite the word "Yes." If you are
33 opposed thereto make a cross (X), plus (+) or check (T) in the square
34 opposite the word "No."

35 b. In every municipality the following question:

1		CONSTITUTIONAL AMENDMENT TO
2		EXPAND USES OF DEDICATED TAX
3		REVENUE TO FINANCE HAZARDOUS
4		DISCHARGE CLEANUPS
5		Shall the amendment to Article VIII, Section
6		II, paragraph 6 of the Constitution of the
7		State of New Jersey, expanding the authorized
8		uses of the constitutionally dedicated portion
9	YES	of the Corporation Business Tax revenue, to
10		include funding the cost of grants and loans
11		for the remediation of discharges of hazardous
12		substances, be approved?
13		INTERPRETIVE STATEMENT
14		Approval of this proposed amendment to the
15		Constitution of the State of New Jersey would
16		expand the authorized uses of the
17		constitutionally dedicated Corporation
18		Business Tax revenues to allow funding,
19		including the provision of loans or grants, for
20		the costs of remediation of discharges of
21		hazardous substances. Since 1996, 4% of the
22		annual revenue from the Corporation Business
23		Tax has been constitutionally dedicated, with
24		a minimum of one-half allocated for
25		hazardous discharge cleanup performed by the
26		State, a minimum of one sixth or a minimum
27		of \$5 million allocated for water quality
28	NO	projects and, until December 31, 2008, a
29		minimum of one third allocated for financing
30		grants and loans for underground storage tank
31		upgrades, replacements, closures and
32		remediations. This constitutional amendment
33		would, without increasing taxes, expand the
34		authorized uses of the one third dedicated to
35		underground storage tank projects, and
36		beginning on January 1, 2004, would allow
37		that portion to be used also for financing
38		grants and loans to remediate hazardous
39		substance discharges and, by removing the
40		December 31, 2008 date, would continue its
41		allocation for those purposes only.
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STATEMENT

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This Assembly Concurrent Resolution would propose an amendment to Article VIII, Section II, paragraph 6 of the State Constitution. That provision dedicates four percent of the revenues derived from the Corporation Business Tax to three purposes: (1) paying costs incurred by the State for the remediation of discharges of hazardous substances; 2) providing funding for the upgrade, replacement and cleanup of underground storage tanks; and 3) nonpoint source pollution programs and watershed planning and monitoring. Currently, one half of the annual amount is dedicated for State funded hazardous site cleanup, one third is dedicated for grants and loans for underground storage tank replacement, removal and cleanup; and a minimum of one sixth or \$5 million is dedicated for clean water programs. The third that is dedicated for underground storage tank programs must be used for that purpose until December 31, 2008. After that time, that portion may be used for any of the three authorized purposes. This proposed amendment to the Constitution would allow that one third portion also to be used for providing grants and loans to finance hazardous discharge cleanups beginning on January 1, 2004. The amendment would remove the December 31, 2008 date as well, so that one third of the dedicated funds would always be required to be allocated for the two authorized purposes.

**ASSEMBLY CONCURRENT
RESOLUTION No. 121**

**STATE OF NEW JERSEY
210th LEGISLATURE**

INTRODUCED JUNE 17, 2002

Sponsored by:
Assemblyman STEVE CORODEMUS
District 11 (Monmouth)

SYNOPSIS

Proposes Constitutional Amendment to authorize use of dedicated Corporation Business Tax revenues for financing grants and loans for hazardous discharge cleanups.

CURRENT VERSION OF TEXT

As introduced.



ACR121 CORODEMUS

2

1 A **CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II, paragraph 6 of the Constitution of the State of New
3 Jersey.

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

7
8 1. The following proposed amendment to the Constitution is
9 agreed to:

10
11 PROPOSED AMENDMENT

12
13 Amend Article VIII, Section II, paragraph 6 to read as follows:

14 6. There shall be credited annually to a special account in the
15 General Fund an amount equivalent to 4% of the revenue annually
16 derived from the tax imposed pursuant to the "Corporation Business
17 Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended
18 and supplemented, or any other State law of similar effect.

19 The amount annually credited pursuant to this paragraph shall be
20 dedicated and shall be appropriated from time to time by the
21 Legislature only for the following purposes: paying or financing costs
22 incurred by the State for the remediation of discharges of hazardous
23 substances, which costs may include performing necessary operation
24 and maintenance activities relating to remedial actions and costs
25 incurred for providing alternative sources of public or private water
26 supplies, when a water supply has been, or is suspected of being,
27 contaminated by a hazardous substance discharge; providing funding,
28 including the provision of loans or grants, for the upgrade,
29 replacement, or closure of underground storage tanks that store or
30 were used to store hazardous substances, and for the costs of
31 remediating any discharge therefrom; providing funding, including the
32 provision of loans or grants, for the costs of the remediation of
33 discharges of hazardous substances; and for paying or financing the
34 cost of water quality point and nonpoint source pollution monitoring,
35 watershed based water resource planning and management, and
36 nonpoint source pollution prevention projects.

37 It shall not be competent for the Legislature, under any pretense
38 whatever, to borrow, appropriate, or use the amount credited to the
39 special account pursuant to this paragraph, or any portion thereof, for
40 any purpose or in any manner other than as enumerated in this
41 paragraph. It shall not be competent for the Legislature, under any
42 pretense whatever, to borrow, appropriate, or use the amount credited
43 to the special account pursuant to this paragraph, or any portion

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

Matter underlined thus is new matter.

ACR121 CORODEMUS

1 thereof, for the payment of the principal or interest on any general
2 obligation bond that was approved by the voters prior to this
3 paragraph becoming part of this Constitution.

4 (a) A minimum of one-sixth of the amount annually credited
5 pursuant to this paragraph, or a minimum of an amount equal to
6 \$5,000,000.00 per year, whichever is less, shall be dedicated, and shall
7 be appropriated from time to time by the Legislature, only for paying
8 or financing the cost of water quality point and nonpoint source
9 pollution monitoring, watershed based water resource planning and
10 management, and nonpoint source pollution prevention projects.

11 (b) A minimum of one-third of the amount annually credited
12 pursuant to this paragraph shall be dedicated, and shall be
13 appropriated from time to time by the Legislature, only for providing
14 funding, including the provision of loans or grants, for the upgrade,
15 replacement, or closure of underground storage tanks that store or
16 were used to store hazardous substances, and for the costs of
17 remediating any discharge therefrom[, except that the dedication of
18 moneys pursuant to this subparagraph (b) shall expire on December
19 31, 2008 and may thereafter be dedicated and appropriated from time
20 to time by the Legislature for any of the purposes authorized pursuant
21 to subparagraphs (a), (b), or (c) of this paragraph], and for providing
22 funding, including the provision of loans or grants, for the costs of the
23 remediation of discharges of hazardous substances. All moneys
24 derived from repayments of any loan issued from the amount
25 dedicated pursuant to this subparagraph (b) shall be dedicated, and
26 shall be appropriated from time to time by the Legislature, only for the
27 purposes authorized pursuant to this subparagraph (b). The dedication
28 of moneys derived from loan repayments shall not expire. No moneys
29 appropriated pursuant to this subparagraph (b) may be expended on
30 any direct or indirect administrative costs of the State or any of its
31 departments, agencies, or authorities. No moneys appropriated
32 pursuant to this subparagraph (b) may be expended on any upgrade,
33 replacement, or closure of any underground storage tank, or for the
34 remediation of any discharge therefrom, for any underground storage
35 tank owned by the State or any of its departments, agencies, or
36 authorities, or for costs incurred by the State for the remediation of
37 discharges of hazardous substances.

38 (c) A minimum of one-half of the amount annually credited
39 pursuant to this paragraph shall be dedicated, and shall be
40 appropriated from time to time by the Legislature, only for paying or
41 financing costs incurred by the State for the remediation of discharges
42 of hazardous substances, which costs may include performing
43 necessary operation and maintenance activities relating to remedial
44 actions and costs incurred for providing alternative sources of public
45 or private water supplies, when a water supply has been, or is
46 suspected of being, contaminated by a hazardous substance discharge.

ACR121 CORODEMUS

1 No moneys appropriated pursuant to this subparagraph (c) may be
2 expended for any indirect administrative costs of the State, its
3 departments, agencies, or authorities. No more than nine percent of
4 the moneys annually credited pursuant to this paragraph, which shall
5 be taken from the amount dedicated pursuant to this subparagraph (c),
6 may be expended for any direct program administrative costs of the
7 State, its departments, agencies, or authorities. If the Legislature
8 dedicates for the purposes of this subparagraph (c) any moneys above
9 the minimum that is required to be dedicated pursuant to this
10 subparagraph (c), those moneys may not be expended for any direct or
11 indirect administrative costs of the State, its departments, agencies, or
12 authorities.

13 (cf: Art.VIII, Sec.II, par.6)

14

15 2. When this proposed amendment to the Constitution is finally
16 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
17 shall be submitted to the people at the next general election occurring
18 more than three months after the final agreement and shall be
19 published at least once in at least one newspaper of each county
20 designated by the President of the Senate, the Speaker of the General
21 Assembly and the Secretary of State, not less than three months prior
22 to the general election.

23

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

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

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

30 If you favor the proposition printed below make a cross (X), plus
31 (+), or check (T) in the square opposite the word "Yes." If you are
32 opposed thereto make a cross (X), plus (+) or check (T) in the square
33 opposite the word "No."

ACR121 CORODEMUS

1 b. In every municipality the following question:
2

3		CONSTITUTIONAL AMENDMENT TO
4		EXPAND USES OF DEDICATED TAX
5		REVENUE TO FINANCE HAZARDOUS
6		DISCHARGE CLEANUPS
7		Shall the amendment to Article VIII, Section
8		II, paragraph 6 of the Constitution of the
9		State of New Jersey, expanding the authorized
10	YES	uses of the constitutionally dedicated
11		Corporation Business Tax revenue, to include
12		funding the costs of the remediation of
13		hazardous discharges, be approved?
14		INTERPRETIVE STATEMENT
15		Approval of this proposed amendment to the
16		Constitution of the State of New Jersey would
17		expand the authorized uses of the
18		constitutionally dedicated Corporation
19		Business Tax revenues to allow funding,
20		including the provision of loans or grants, for
21		the costs of remediation of discharges of
22		hazardous substances. Since 1996, 4% of the
23		annual revenue from the Corporation Business
24		Tax has been constitutionally dedicated, with
25		a minimum of one-half allocated for
26		hazardous discharge cleanup performed by the
27		State, a minimum of one sixth or a minimum
28	NO	of \$5 million allocated for water quality
29		projects and, until December 31, 2008, a
30		minimum of one third allocated for financing
31		grants and loans for underground storage tank
32		upgrades, replacements, closures and
33		remediations. This constitutional amendment
34		would, without increasing taxes, expand the
35		authorized uses of the one third dedicated to
36		underground storage tank projects, to allow
37		that portion to be used also for financing
38		grants and loans to remediate hazardous
39		substance discharges and, by removing the
40		December 31, 2008 date, would continue its
41		allocation for those purposes only.
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STATEMENT

This Senate Concurrent Resolution proposes an amendment to Article VIII, Section II, paragraph 6 of the State Constitution. That provision dedicates four percent of the revenues derived from the Corporation Business Tax to three purposes: (1) paying costs incurred by the State for the remediation of discharges of hazardous substances; 2) providing funding for the upgrade, replacement and cleanup of underground storage tanks; and 3) nonpoint source pollution programs and watershed planning and monitoring. Currently, one half of the annual amount is dedicated for State funded hazardous site cleanup, one third is dedicated for grants and loans for underground storage tank replacement, removal and cleanup; and a minimum of one sixth or \$5 million is dedicated for clean water programs. The third that is dedicated for underground storage tank programs must be used for that purpose until December 31, 2008. After that time, that portion may be used for any of the three authorized purposes. This proposed amendment to the Constitution would allow that one third portion also to be used for providing loans or grants to finance hazardous discharge cleanups. The amendment would remove the December 31, 2008 date as well, so that one third of the dedicated funds would always be required to be allocated for the two authorized purposes.

ASSEMBLY COMMITTEE SUBSTITUTE FOR
**ASSEMBLY CONCURRENT
RESOLUTION Nos. 153 and 121**

STATE OF NEW JERSEY
210th LEGISLATURE

ADOPTED MARCH 6, 2003

Sponsored by:

Assemblyman REED GUSCIORA

District 15 (Mercer)

Assemblyman NEIL M. COHEN

District 20 (Union)

Assemblyman STEVE CORODEMUS

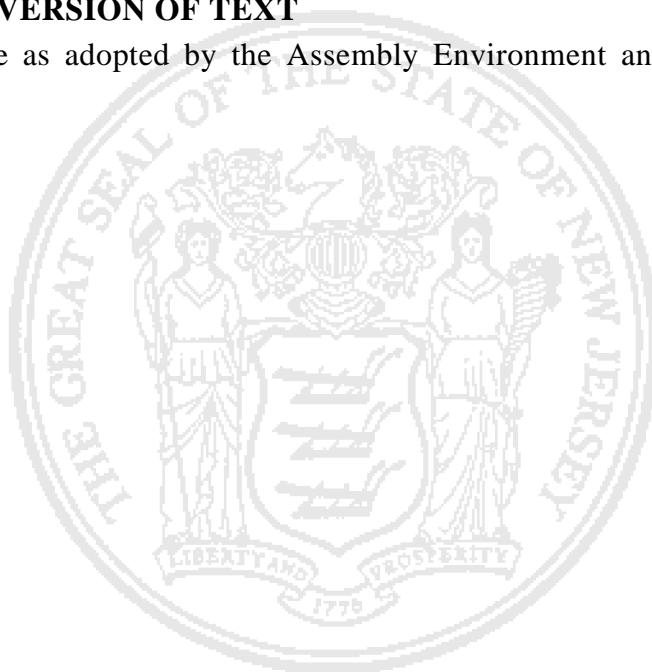
District 11 (Monmouth)

SYNOPSIS

Proposes Constitutional Amendment to authorize use of already dedicated Corporation Business Tax Revenues for grants and loans for remediation of hazardous substance discharges.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Environment and Solid Waste Committee.



1 **A CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II, paragraph 6 of the Constitution of the State of New
3 Jersey.

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

7
8 1. The following proposed amendment to the Constitution is
9 agreed to:

10
11 **PROPOSED AMENDMENT**

12
13 Amend Article VIII, Section II, paragraph 6 to read as follows:

14 6. There shall be credited annually to a special account in the
15 General Fund an amount equivalent to 4% of the revenue annually
16 derived from the tax imposed pursuant to the "Corporation Business
17 Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended
18 and supplemented, or any other State law of similar effect.

19 The amount annually credited pursuant to this paragraph shall be
20 dedicated and shall be appropriated from time to time by the
21 Legislature only for the following purposes: paying or financing costs
22 incurred by the State for the remediation of discharges of hazardous
23 substances, which costs may include performing necessary operation
24 and maintenance activities relating to remedial actions and costs
25 incurred for providing alternative sources of public or private water
26 supplies, when a water supply has been, or is suspected of being,
27 contaminated by a hazardous substance discharge; commencing on
28 January 1, 2004, providing funding, including the provision of loans
29 or grants, for the costs of the remediation of discharges of hazardous
30 substances; providing funding, including the provision of loans or
31 grants, for the upgrade, replacement, or closure of underground
32 storage tanks that store or were used to store hazardous substances,
33 and for the costs of remediating any discharge therefrom; and for
34 paying or financing the cost of water quality point and nonpoint source
35 pollution monitoring, watershed based water resource planning and
36 management, and nonpoint source pollution prevention projects.

37 It shall not be competent for the Legislature, under any pretense
38 whatever, to borrow, appropriate, or use the amount credited to the
39 special account pursuant to this paragraph, or any portion thereof, for
40 any purpose or in any manner other than as enumerated in this
41 paragraph. It shall not be competent for the Legislature, under any
42 pretense whatever, to borrow, appropriate, or use the amount credited
43 to the special account pursuant to this paragraph, or any portion

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

Matter underlined thus is new matter.

1 thereof, for the payment of the principal or interest on any general
2 obligation bond that was approved by the voters prior to this
3 paragraph becoming part of this Constitution.

4 (a) A minimum of one-sixth of the amount annually credited
5 pursuant to this paragraph, or a minimum of an amount equal to
6 \$5,000,000.00 per year, whichever is less, shall be dedicated, and shall
7 be appropriated from time to time by the Legislature, only for paying
8 or financing the cost of water quality point and nonpoint source
9 pollution monitoring, watershed based water resource planning and
10 management, and nonpoint source pollution prevention projects.

11 (b) A minimum of one-third of the amount annually credited
12 pursuant to this paragraph shall be dedicated, and shall be
13 appropriated from time to time by the Legislature, only for providing
14 funding, including the provision of loans or grants, for the upgrade,
15 replacement, or closure of underground storage tanks that store or
16 were used to store hazardous substances, and for the costs of
17 remediating any discharge therefrom, ~~[except that the dedication of~~
18 ~~moneys pursuant to this subparagraph (b) shall expire on December~~
19 ~~31, 2008 and may thereafter be dedicated and appropriated from time~~
20 ~~to time by the Legislature for any of the purposes authorized pursuant~~
21 ~~to subparagraphs (a), (b), or (c) of this paragraph]~~and, commencing
22 on January 1, 2004, for providing funding, including the provision of
23 grants and loans, for the costs of the remediation of discharges of
24 hazardous substances. All moneys derived from repayments of any
25 loan issued from the amount dedicated pursuant to this subparagraph
26 (b) shall be dedicated, and shall be appropriated from time to time by
27 the Legislature, only for the purposes authorized pursuant to this
28 subparagraph (b). ~~[The dedication of moneys derived from loan~~
29 ~~repayments shall not expire.]~~ No moneys appropriated pursuant to
30 this subparagraph (b) may be expended on any direct or indirect
31 administrative costs of the State or any of its departments, agencies,
32 or authorities. No moneys appropriated pursuant to this subparagraph
33 (b) may be expended on any upgrade, replacement, or closure of any
34 underground storage tank, or for the remediation of any discharge
35 therefrom, for any underground storage tank owned by the State or
36 any of its departments, agencies, or authorities, or for costs incurred
37 by the State for the remediation of discharges of hazardous substances.

38 (c) A minimum of one-half of the amount annually credited
39 pursuant to this paragraph shall be dedicated, and shall be
40 appropriated from time to time by the Legislature, only for paying or
41 financing costs incurred by the State for the remediation of discharges
42 of hazardous substances, which costs may include performing
43 necessary operation and maintenance activities relating to remedial
44 actions and costs incurred for providing alternative sources of public
45 or private water supplies, when a water supply has been, or is
46 suspected of being, contaminated by a hazardous substance discharge.

1 No moneys appropriated pursuant to this subparagraph (c) may be
2 expended for any indirect administrative costs of the State, its
3 departments, agencies, or authorities. No more than nine percent of
4 the moneys annually credited pursuant to this paragraph, which shall
5 be taken from the amount dedicated pursuant to this subparagraph (c),
6 may be expended for any direct program administrative costs of the
7 State, its departments, agencies, or authorities. If the Legislature
8 dedicates for the purposes of this subparagraph (c) any moneys above
9 the minimum that is required to be dedicated pursuant to this
10 subparagraph (c), those moneys may not be expended for any direct or
11 indirect administrative costs of the State, its departments, agencies, or
12 authorities.

13 (cf: Article VIII, Section II, paragraph 6, added effective December 5,
14 1996)

15

16 2. When this proposed amendment to the Constitution is finally
17 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
18 shall be submitted to the people at the next general election occurring
19 more than three months after the final agreement and shall be
20 published at least once in at least one newspaper of each county
21 designated by the President of the Senate, the Speaker of the General
22 Assembly and the Secretary of State, not less than three months prior
23 to the general election.

24

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

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

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

32 If you favor the proposition printed below make a cross (X), plus
33 (+), or check (T) in the square opposite the word "Yes." If you are
34 opposed thereto make a cross (X), plus (+) or check (T) in the square
35 opposite the word "No."

36 b. In every municipality the following question:

1		CONSTITUTIONAL AMENDMENT TO
2		EXPAND USES OF DEDICATED TAX
3		REVENUE TO FINANCE HAZARDOUS
4		DISCHARGE CLEANUPS
5		Shall the amendment to Article VIII, Section
6		II, paragraph 6 of the Constitution of the
7		State of New Jersey, expanding the authorized
8		uses of the constitutionally dedicated portion
9		of the Corporation Business Tax revenue, to
10	YES	include funding the cost of grants and loans
11		for the remediation of discharges of hazardous
12		substances, and removing the expiration
13		requirement for use of funding for upgrade,
14		replacement or closure of underground
15		storage tanks, be approved?
16		INTERPRETIVE STATEMENT
17		Approval of this proposed amendment to the
18		Constitution of the State of New Jersey would
19		expand the authorized uses of the
20		constitutionally dedicated Corporation
21		Business Tax revenues to allow funding,
22		including the provision of loans or grants, for
23		the costs of remediation of discharges of
24		hazardous substances. Since 1996, 4% of the
25		annual revenue from the Corporation Business
26		Tax has been constitutionally dedicated, with
27		a minimum of one-half allocated for
28		hazardous discharge cleanup performed by the
29		State, a minimum of one sixth or a minimum
30		of \$5 million allocated for water quality
31	NO	projects and, until December 31, 2008, a
32		minimum of one third allocated for financing
33		grants and loans for underground storage tank
34		upgrades, replacements, closures and
35		remediations. This constitutional amendment
36		would, without increasing taxes, expand the
37		authorized uses of the one third dedicated to
38		underground storage tank projects, and
39		beginning on January 1, 2004, would allow
40		that portion to be used also for financing
41		grants and loans to remediate hazardous
42		substance discharges and, by removing the
43		December 31, 2008 date, would continue its
44		allocation for those purposes only.
45		

SENATE COMMITTEE SUBSTITUTE FOR
**SENATE CONCURRENT
RESOLUTION No. 61**

**STATE OF NEW JERSEY
210th LEGISLATURE**

ADOPTED MAY 15, 2003

Sponsored by:

Senator JOHN O. BENNETT
District 12 (Mercer and Monmouth)
Senator RICHARD J. CODEY
District 27 (Essex)
Senator HENRY P. MCNAMARA
District 40 (Bergen, Essex and Passaic)
Senator JOSEPH SULIGA
District 22 (Middlesex, Somerset and Union)
Senator ANDREW R. CIESLA
District 10 (Monmouth and Ocean)
Senator JOHN H. ADLER
District 6 (Camden)
Senator LEONARD LANCE
District 23 (Warren and Hunterdon)
Senator BOB SMITH
District 17 (Middlesex and Somerset)
Assemblyman REED GUSCIORA
District 15 (Mercer)
Assemblyman NEIL M. COHEN
District 20 (Union)
Assemblyman STEVE CORODEMUS
District 11 (Monmouth)

Co-Sponsored by:

Senator Buono and Assemblywoman Greenstein

SYNOPSIS

Proposes Constitutional Amendment to authorize use of dedicated Corporation Business Tax revenues for financing loans or grants for hazardous discharge cleanups.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Environment Committee.

(Sponsorship Updated As Of: 6/24/2003)

1 A CONCURRENT RESOLUTION proposing to amend Article VIII,
2 Section II, paragraph 6 of the Constitution of the State of New
3 Jersey.

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 the
9 State of New Jersey is agreed to:

10

11

PROPOSED AMENDMENT

12

13 Amend Article VIII, Section II, paragraph 6 to read as follows:

14 6. There shall be credited annually to a special account in the
15 General Fund an amount equivalent to 4% of the revenue annually
16 derived from the tax imposed pursuant to the "Corporation Business
17 Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended
18 and supplemented, or any other State law of similar effect.

19 The amount annually credited pursuant to this paragraph shall be
20 dedicated and shall be appropriated from time to time by the
21 Legislature only for the following purposes: paying or financing costs
22 incurred by the State for the remediation of discharges of hazardous
23 substances, which costs may include performing necessary operation
24 and maintenance activities relating to remedial actions and costs
25 incurred for providing alternative sources of public or private water
26 supplies, when a water supply has been, or is suspected of being,
27 contaminated by a hazardous substance discharge; providing funding,
28 including the provision of loans or grants, for the upgrade,
29 replacement, or closure of underground storage tanks that store or
30 were used to store hazardous substances, and for the costs of
31 remediating any discharge therefrom; providing funding, including the
32 provision of loans or grants, for the costs of the remediation of
33 discharges of hazardous substances, which costs may include costs
34 incurred for providing alternative sources of public or private water
35 supplies, when a water supply has been, or is suspected of being,
36 contaminated by a hazardous substance discharge; and for paying or
37 financing the cost of water quality point and nonpoint source pollution
38 monitoring, watershed based water resource planning and
39 management, and nonpoint source pollution prevention projects.

40 It shall not be competent for the Legislature, under any pretense
41 whatever, to borrow, appropriate, or use the amount credited to the
42 special account pursuant to this paragraph, or any portion thereof, for
43 any purpose or in any manner other than as enumerated in this
44 paragraph. It shall not be competent for the Legislature, under any
45 pretense whatever, to borrow, appropriate, or use the amount credited
46 to the special account pursuant to this paragraph, or any portion
47 thereof, for the payment of the principal or interest on any general
48 obligation bond that was approved by the voters prior to this

1 paragraph becoming part of this Constitution.

2 (a) A minimum of one-sixth of the amount annually credited
3 pursuant to this paragraph, or a minimum of an amount equal to
4 \$5,000,000.00 per year, whichever is less, shall be dedicated, and shall
5 be appropriated from time to time by the Legislature, only for paying
6 or financing the cost of water quality point and nonpoint source
7 pollution monitoring, watershed based water resource planning and
8 management, and nonpoint source pollution prevention projects.

9 (b) A minimum of one-third of the amount annually credited
10 pursuant to this paragraph shall be dedicated, and shall be
11 appropriated from time to time by the Legislature, only for providing
12 funding, including the provision of loans or grants, for the upgrade,
13 replacement, or closure of underground storage tanks that store or
14 were used to store hazardous substances, and for the costs of
15 remediating any discharge therefrom [, except that the dedication of
16 moneys pursuant to this subparagraph (b) shall expire on December
17 31, 2008 and may thereafter be dedicated and appropriated from time
18 to time by the Legislature for any of the purposes authorized pursuant
19 to subparagraphs (a), (b), or (c) of this paragraph], and for providing
20 funding, including the provision of loans or grants, for the costs of the
21 remediation of discharges of hazardous substances, which costs may
22 include costs incurred for providing alternative sources of public or
23 private water supplies, when a water supply has been, or is suspected
24 of being, contaminated by a hazardous substance discharge. Of any
25 amount dedicated pursuant to this subparagraph (b) but not expended
26 prior to January 1, 2004, fifty percent of that amount shall be
27 expended on funding for the upgrade, replacement, or closure of
28 underground storage tanks that store or were used to store hazardous
29 substances, and for the costs of remediating any discharge therefrom,
30 and fifty percent shall be expended on funding the costs of the
31 remediation of discharges of hazardous substances, including costs
32 incurred for providing alternative sources of public or private water
33 supplies, when a water supply has been, or is suspected of being,
34 contaminated by a hazardous substance discharge.

35 Commencing January 1, 2004 and ending December 31, 2005, fifty
36 percent of the moneys dedicated pursuant to this subparagraph (b)
37 shall be appropriated for funding the upgrade, replacement, or closure
38 of underground storage tanks that store or were used to store
39 hazardous substances, and for the costs of remediating any discharge
40 therefrom, and fifty percent shall be appropriated for funding the costs
41 of the remediation of discharges of hazardous substances, which costs
42 may include costs incurred for providing alternative sources of public
43 or private water supplies, when a water supply has been, or is
44 suspected of being, contaminated by a hazardous substance discharge.

45 Commencing January 1, 2006 and ending December 31, 2021,
46 forty percent of the moneys dedicated pursuant to this subparagraph
47 (b) shall be appropriated for funding the upgrade, replacement, or
48 closure of underground storage tanks that store or were used to store
49 hazardous substances, and for the costs of remediating any discharge

1 therefrom, and sixty percent shall be appropriated for funding the costs
2 of the remediation of discharges of hazardous substances, which costs
3 may include costs incurred for providing alternative sources of public
4 or private water supplies, when a water supply has been, or is
5 suspected of being, contaminated by a hazardous substance discharge.

6 Commencing January 1, 2004, up to \$2,000,000.00 per year, which
7 shall be taken from the amount appropriated pursuant to this
8 subparagraph (b) for the costs of the remediation of discharges of
9 hazardous substances, may be expended for the costs of a State
10 underground storage tank inspection program, which costs may
11 include the direct but not indirect program administrative costs
12 incurred by the State for the employment of inspectors and a
13 compliance and enforcement staff, and the purchase of vehicles and
14 equipment necessary for the implementation thereof.

15 All moneys derived from repayments of any loan issued from the
16 amount dedicated pursuant to this subparagraph (b) shall be dedicated,
17 and shall be appropriated from time to time by the Legislature, only for
18 the purposes authorized pursuant to this subparagraph (b). The
19 dedication of moneys derived from loan repayments shall not expire.

20 [No] Except for moneys that may be expended for the costs of a
21 State underground storage tank inspection program, no moneys
22 appropriated pursuant to this subparagraph (b) may be expended on
23 any direct or indirect administrative costs of the State or any of its
24 departments, agencies, or authorities.

25 No moneys appropriated pursuant to this subparagraph (b) may be
26 expended on any upgrade, replacement, or closure of any underground
27 storage tank, or for the remediation of any discharge therefrom, for
28 any underground storage tank owned by the State or any of its
29 departments, agencies, or authorities, or for costs incurred by the
30 State for the remediation of discharges of hazardous substances.

31 Commencing on January 1, 2022, the moneys dedicated pursuant
32 to this subparagraph (b) may be appropriated from time to time by the
33 Legislature: for providing funding, including the provision of loans or
34 grants, for the upgrade, replacement, or closure of underground
35 storage tanks that store or were used to store hazardous substances,
36 and for the costs of remediating any discharge therefrom; for providing
37 funding, including the provision of loans or grants, for the costs of the
38 remediation of discharges of hazardous substances, which costs may
39 include costs incurred for providing alternative sources of public or
40 private water supplies, when a water supply has been, or is suspected
41 of being, contaminated by a hazardous substance discharge; or for the
42 costs of a State underground storage tank inspection program, in an
43 amount up to \$2,000,000.00 per year.

44 (c) A minimum of one-half of the amount annually credited
45 pursuant to this paragraph shall be dedicated, and shall be
46 appropriated from time to time by the Legislature, only for paying or
47 financing costs incurred by the State for the remediation of discharges
48 of hazardous substances, which costs may include performing
49 necessary operation and maintenance activities relating to remedial

1 actions and costs incurred for providing alternative sources of public
2 or private water supplies, when a water supply has been, or is
3 suspected of being, contaminated by a hazardous substance discharge.
4 No moneys appropriated pursuant to this subparagraph (c) may be
5 expended for any indirect administrative costs of the State, its
6 departments, agencies, or authorities. No more than nine percent of
7 the moneys annually credited pursuant to this paragraph, which shall
8 be taken from the amount dedicated pursuant to this subparagraph (c),
9 may be expended for any direct program administrative costs of the
10 State, its departments, agencies, or authorities. If the Legislature
11 dedicates for the purposes of this subparagraph (c) any moneys above
12 the minimum that is required to be dedicated pursuant to this
13 subparagraph (c), those moneys may not be expended for any direct or
14 indirect administrative costs of the State, its departments, agencies, or
15 authorities.

16 (cf: Art.VIII, Sec.II, par.6, effective December 5, 1996)

17

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

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, a
7 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 (T) in the square opposite the word "Yes." If you are
10 opposed thereto make a cross (X), plus (+) or check (T) in the square
11 opposite the word "No."

12 b. In every municipality the following question:
13

14		CONSTITUTIONAL AMENDMENT TO
15		EXPAND USES OF DEDICATED TAX
16		REVENUE TO FUND HAZARDOUS
17		DISCHARGE CLEANUPS
18		Shall the amendment to Article VIII, Section
19		II, paragraph 6 of the Constitution of the
20		State of New Jersey, expanding the authorized
21		uses of the constitutionally dedicated
22	YES	Corporation Business Tax revenue, to include
23		funding the costs of the remediation of
24		hazardous discharges, and funding the costs
25		of a State underground storage tank inspection program, be approved?

1		INTERPRETIVE STATEMENT
2		Approval of this constitutional amendment
3		would expand the authorized uses of the
4		constitutionally dedicated portion of the
5		Corporation Business Tax revenues to allow
6		funding, including the provision of loans or
7		grants, for the costs of remediation of
8		discharges of hazardous substances. Since
9		1996, 4% of the annual revenue from the
10		Corporation Business Tax has been
11		constitutionally dedicated, with a minimum of
12		one-half allocated for hazardous discharge
13		cleanup performed by the State, a minimum of
14		one sixth or a minimum of \$5 million allocated
15		for water quality projects and, until December
16	NO	31, 2008, a minimum of one third allocated
17		for funding loans or grants for underground
18		storage tank upgrades, replacements, closures
19		and remediations. This constitutional
20		amendment would, without increasing taxes,
21		expand the authorized uses of the one third
22		dedicated to underground storage tank
23		projects, to allow that portion to be used also
24		for funding loans or grants to remediate
25		hazardous substance discharges, and for the
26		use of up to \$2 million per year for an
27		underground storage tank inspection program,
28		and, by removing the December 31, 2008
29		expiration date, would continue its allocation
30		for those purposes.
31		

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE CONCURRENT RESOLUTION No. 61**

STATE OF NEW JERSEY

DATED: MAY 15, 2003

The Senate Environment Committee reports favorably a Senate Committee Substitute for Senate Concurrent Resolution No. 61.

The Senate Committee Substitute for Senate Concurrent Resolution No. 61 proposes an amendment to Article VIII, Section II, paragraph 6 of the State Constitution. That provision dedicates four percent of the revenues derived from the Corporation Business Tax to three purposes: (1) paying costs incurred by the State for the remediation of discharges of hazardous substances; (2) providing funding for the upgrade, replacement and cleanup of underground storage tanks; and (3) point and nonpoint source pollution programs and watershed planning and monitoring. Currently, one half of the annual amount is dedicated for State funded hazardous site cleanup, one third is dedicated for loans or grants for underground storage tank upgrade, replacement, removal and cleanup; and a minimum of one sixth or a minimum of \$5 million is dedicated for clean water programs. The third that is dedicated for underground storage tank programs must be used for that purpose until December 31, 2008. After that time, that portion may be used for any of the three authorized purposes.

This proposed amendment to the Constitution would allow that one third portion also to be used for providing funding, including loans or grants, to finance hazardous discharge cleanups, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge. The amendment would eliminate the December 31, 2008 date so that one third of the dedicated funds would be required to be allocated for the two authorized purposes without expiration.

Under the proposed amendment, of any amounts previously dedicated but not expended as of January 1, 2004, fifty percent of these moneys would be appropriated for underground storage tank programs and fifty percent would be dedicated for loans or grants for remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been or is suspected of being,

contaminated by a hazardous substance discharge.

Commencing January 1, 2004 and ending December 31, 2005, fifty percent of the moneys would be dedicated for loans or grants for the upgrade, replacement, or closure of underground storage tanks, and the remediation of any discharge therefrom, and fifty percent would be dedicated for loans or grants for the remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge.

Commencing January 1, 2006 and ending December 31, 2021, forty percent of the moneys would be dedicated for the upgrade, replacement, or closure of underground storage tanks, and the remediation of any discharge therefrom, and sixty percent would be dedicated for the remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge.

Commencing January 1, 2004, up to \$2 million per year, which would be taken from the amount appropriated for the costs of the remediation of discharges of hazardous substances, may be expended for the costs of a State underground storage tank inspection program. These costs may include the direct program administrative costs incurred by the State for the employment of inspectors and a compliance and enforcement staff, and the purchase of vehicles and equipment necessary for the implementation of the program.

After December 31, 2021, these moneys are dedicated and may be appropriated from time to time by the Legislature for funding loans or grants for the upgrade, replacement or closure of underground storage tanks, and the remediation of any discharge therefrom, for loans or grants for the remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge, or for the costs of a State underground storage tank inspection program, in an amount up to \$2 million per year.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY COMMITTEE SUBSTITUTE FOR
**ASSEMBLY CONCURRENT RESOLUTION
NOS. 153 and 121**

STATE OF NEW JERSEY

DATED: MAY 20, 2003

The Assembly Appropriations Committee reports favorably an Assembly Committee Substitute for Assembly Concurrent Resolution Nos. 153 and 121 (ACS).

This Assembly Committee Substitute for Assembly Concurrent Resolution Nos. 153 and 121 (ACS) proposes an amendment to Article VIII, Section II, paragraph 6 of the State Constitution.

That provision currently dedicates four percent of the revenues derived from the Corporation Business Tax to three purposes: (1) paying costs incurred by the State for the remediation of discharges of hazardous substances; (2) providing funding for the upgrade, replacement and cleanup of underground storage tanks; and (3) point and nonpoint source pollution programs and watershed planning and monitoring. Currently, one-half of the annual amount is dedicated for State funded hazardous site cleanup, one-third is dedicated for loans or grants for underground storage tank upgrade, replacement, removal and cleanup; and a minimum of one-sixth or a minimum of \$5 million is dedicated for clean water programs. The third that is dedicated for underground storage tank programs must be used for that purpose until December 31, 2008. After that time, that one-third portion may be used for any of the three authorized purposes.

The amendment to the Constitution proposed by this substitute allows that one-third portion currently dedicated to underground storage tank projects to be used also for providing funding, including loans or grants, to finance hazardous discharge cleanups, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge. The amendment eliminates the December 31, 2008 date, so that one third of the dedicated funds would be required to be allocated for the two authorized purposes without expiration.

Under the amendment to the Constitution proposed by this

substitute, of any amounts previously dedicated but not expended as of January 1, 2004, fifty percent of these moneys will be appropriated for underground storage tank programs and fifty percent will be dedicated for loans or grants for remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been or is suspected of being, contaminated by a hazardous substance discharge.

Commencing January 1, 2004 and ending December 31, 2005, the amendment to the Constitution proposed by this substitute dedicates fifty percent of the moneys for loans or grants for the upgrade, replacement, or closure of underground storage tanks, and the remediation of any discharge therefrom, and dedicates fifty percent for loans or grants for the remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge.

Commencing January 1, 2006 and ending December 31, 2021, the amendment to the Constitution proposed by this substitute dedicates forty percent of the moneys for the upgrade, replacement, or closure of underground storage tanks, and the remediation of any discharge therefrom, and dedicates sixty percent for the remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge.

Commencing January 1, 2004, the amendment to the Constitution proposed by this substitute allows up to \$2 million per year, which would be taken from the amount appropriated for the costs of the remediation of discharges of hazardous substances, to be expended for the costs of a State underground storage tank inspection program. These costs may include the direct program administrative costs incurred by the State for the employment of inspectors and a compliance and enforcement staff, and the purchase of vehicles and equipment necessary for the implementation of the program.

After December 31, 2021, the amendment to the Constitution proposed by this substitute dedicates these moneys for funding loans or grants for the upgrade, replacement or closure of underground storage tanks, and the remediation of any discharge therefrom, for loans or grants for the remediation of discharges of hazardous substances, including costs incurred for providing alternative sources of public or private water supplies, when a water supply has been, or is suspected of being, contaminated by a hazardous substance discharge, or for the costs of a State underground storage tank inspection program, in an amount up to \$2 million per year.

FISCAL IMPACT:

The amendment to the Constitution proposed by this substitute does not increase or decrease taxes or increase or decrease the amount of corporation business tax dedicated to the remediation of discharges of hazardous substances. The amendment to the Constitution proposed by this substitute expands the authorized uses of the one-third currently dedicated to underground storage tank projects.

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY CONCURRENT RESOLUTION
Nos. 153 and 121

STATE OF NEW JERSEY
210th LEGISLATURE

ADOPTED MAY 22, 2003

Sponsored by:

Assemblyman REED GUSCIORA

District 15 (Mercer)

Assemblyman NEIL M. COHEN

District 20 (Union)

Assemblyman STEVE CORODEMUS

District 11 (Monmouth)

Co-Sponsored by:

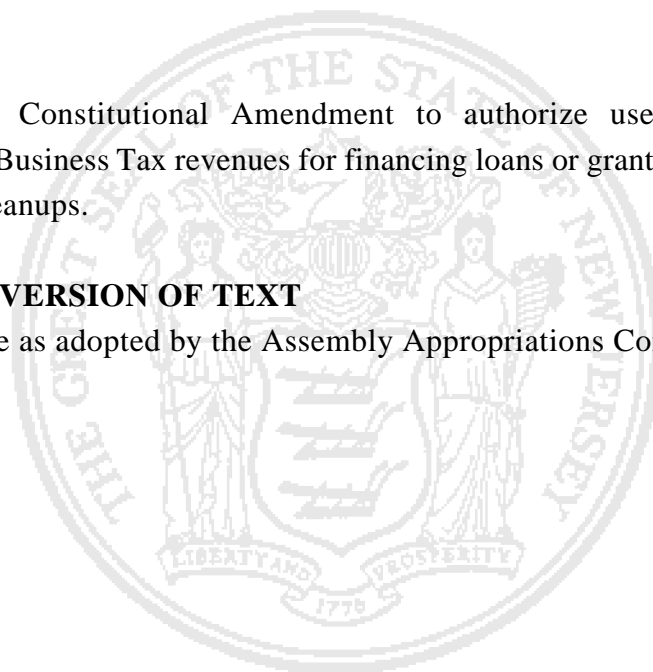
Assemblywoman Greenstein

SYNOPSIS

Proposes Constitutional Amendment to authorize use of dedicated Corporation Business Tax revenues for financing loans or grants for hazardous discharge cleanups.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Appropriations Committee.



(Sponsorship Updated As Of: 6/24/2003)

1 **A CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II, paragraph 6 of the Constitution of the State of New
3 Jersey.

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

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

10
11 **PROPOSED AMENDMENT**

12
13 Amend Article VIII, Section II, paragraph 6 to read as follows:

14 6. There shall be credited annually to a special account in the
15 General Fund an amount equivalent to 4% of the revenue annually
16 derived from the tax imposed pursuant to the "Corporation Business
17 Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended
18 and supplemented, or any other State law of similar effect.

19 The amount annually credited pursuant to this paragraph shall be
20 dedicated and shall be appropriated from time to time by the
21 Legislature only for the following purposes: paying or financing costs
22 incurred by the State for the remediation of discharges of hazardous
23 substances, which costs may include performing necessary operation
24 and maintenance activities relating to remedial actions and costs
25 incurred for providing alternative sources of public or private water
26 supplies, when a water supply has been, or is suspected of being,
27 contaminated by a hazardous substance discharge; providing funding,
28 including the provision of loans or grants, for the upgrade,
29 replacement, or closure of underground storage tanks that store or
30 were used to store hazardous substances, and for the costs of
31 remediating any discharge therefrom; providing funding, including the
32 provision of loans or grants, for the costs of the remediation of
33 discharges of hazardous substances, which costs may include costs
34 incurred for providing alternative sources of public or private water
35 supplies, when a water supply has been, or is suspected of being,
36 contaminated by a hazardous substance discharge; and for paying or
37 financing the cost of water quality point and nonpoint source pollution
38 monitoring, watershed based water resource planning and
39 management, and nonpoint source pollution prevention projects.

40 It shall not be competent for the Legislature, under any pretense
41 whatever, to borrow, appropriate, or use the amount credited to the
42 special account pursuant to this paragraph, or any portion thereof, for
43 any purpose or in any manner other than as enumerated in this

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.

1 paragraph. It shall not be competent for the Legislature, under any
2 pretense whatever, to borrow, appropriate, or use the amount credited
3 to the special account pursuant to this paragraph, or any portion
4 thereof, for the payment of the principal or interest on any general
5 obligation bond that was approved by the voters prior to this
6 paragraph becoming part of this Constitution.

7 (a) A minimum of one-sixth of the amount annually credited
8 pursuant to this paragraph, or a minimum of an amount equal to
9 \$5,000,000.00 per year, whichever is less, shall be dedicated, and shall
10 be appropriated from time to time by the Legislature, only for paying
11 or financing the cost of water quality point and nonpoint source
12 pollution monitoring, watershed based water resource planning and
13 management, and nonpoint source pollution prevention projects.

14 (b) A minimum of one-third of the amount annually credited
15 pursuant to this paragraph shall be dedicated, and shall be
16 appropriated from time to time by the Legislature, only for providing
17 funding, including the provision of loans or grants, for the upgrade,
18 replacement, or closure of underground storage tanks that store or
19 were used to store hazardous substances, and for the costs of
20 remediating any discharge therefrom [, except that the dedication of
21 moneys pursuant to this subparagraph (b) shall expire on December
22 31, 2008 and may thereafter be dedicated and appropriated from time
23 to time by the Legislature for any of the purposes authorized pursuant
24 to subparagraphs (a), (b), or (c) of this paragraph], and for providing
25 funding, including the provision of loans or grants, for the costs of the
26 remediation of discharges of hazardous substances, which costs may
27 include costs incurred for providing alternative sources of public or
28 private water supplies, when a water supply has been, or is suspected
29 of being, contaminated by a hazardous substance discharge. Of any
30 amount dedicated pursuant to this subparagraph (b) but not expended
31 prior to January 1, 2004, fifty percent of that amount shall be
32 expended on funding for the upgrade, replacement, or closure of
33 underground storage tanks that store or were used to store hazardous
34 substances, and for the costs of remediating any discharge therefrom,
35 and fifty percent shall be expended on funding the costs of the
36 remediation of discharges of hazardous substances, including costs
37 incurred for providing alternative sources of public or private water
38 supplies, when a water supply has been, or is suspected of being,
39 contaminated by a hazardous substance discharge.

40 Commencing January 1, 2004 and ending December 31, 2005, fifty
41 percent of the moneys dedicated pursuant to this subparagraph (b)
42 shall be appropriated for funding the upgrade, replacement, or closure
43 of underground storage tanks that store or were used to store
44 hazardous substances, and for the costs of remediating any discharge
45 therefrom, and fifty percent shall be appropriated for funding the costs
46 of the remediation of discharges of hazardous substances, which costs

1 may include costs incurred for providing alternative sources of public
2 or private water supplies, when a water supply has been, or is
3 suspected of being, contaminated by a hazardous substance discharge.

4 Commencing January 1, 2006 and ending December 31, 2021,
5 forty percent of the moneys dedicated pursuant to this subparagraph
6 (b) shall be appropriated for funding the upgrade, replacement, or
7 closure of underground storage tanks that store or were used to store
8 hazardous substances, and for the costs of remediating any discharge
9 therefrom, and sixty percent shall be appropriated for funding the costs
10 of the remediation of discharges of hazardous substances, which costs
11 may include costs incurred for providing alternative sources of public
12 or private water supplies, when a water supply has been, or is
13 suspected of being, contaminated by a hazardous substance discharge.

14 Commencing January 1, 2004, up to \$2,000,000.00 per year, which
15 shall be taken from the amount appropriated pursuant to this
16 subparagraph (b) for the costs of the remediation of discharges of
17 hazardous substances, may be expended for the costs of a State
18 underground storage tank inspection program, which costs may
19 include the direct but not indirect program administrative costs
20 incurred by the State for the employment of inspectors and a
21 compliance and enforcement staff, and the purchase of vehicles and
22 equipment necessary for the implementation thereof.

23 All moneys derived from repayments of any loan issued from the
24 amount dedicated pursuant to this subparagraph (b) shall be dedicated,
25 and shall be appropriated from time to time by the Legislature, only for
26 the purposes authorized pursuant to this subparagraph (b). The
27 dedication of moneys derived from loan repayments shall not expire.

28 [No] Except for moneys that may be expended for the costs of a
29 State underground storage tank inspection program, no moneys
30 appropriated pursuant to this subparagraph (b) may be expended on
31 any direct or indirect administrative costs of the State or any of its
32 departments, agencies, or authorities.

33 No moneys appropriated pursuant to this subparagraph (b) may be
34 expended on any upgrade, replacement, or closure of any underground
35 storage tank, or for the remediation of any discharge therefrom, for
36 any underground storage tank owned by the State or any of its
37 departments, agencies, or authorities, or for costs incurred by the
38 State for the remediation of discharges of hazardous substances.

39 Commencing on January 1, 2022, the moneys dedicated pursuant
40 to this subparagraph (b) may be appropriated from time to time by the
41 Legislature: for providing funding, including the provision of loans or
42 grants, for the upgrade, replacement, or closure of underground
43 storage tanks that store or were used to store hazardous substances,
44 and for the costs of remediating any discharge therefrom; for providing
45 funding, including the provision of loans or grants, for the costs of the
46 remediation of discharges of hazardous substances, which costs may

1 include costs incurred for providing alternative sources of public or
2 private water supplies, when a water supply has been, or is suspected
3 of being, contaminated by a hazardous substance discharge; or for the
4 costs of a State underground storage tank inspection program, in an
5 amount up to \$2,000,000.00 per year.

6 (c) A minimum of one-half of the amount annually credited
7 pursuant to this paragraph shall be dedicated, and shall be
8 appropriated from time to time by the Legislature, only for paying or
9 financing costs incurred by the State for the remediation of discharges
10 of hazardous substances, which costs may include performing
11 necessary operation and maintenance activities relating to remedial
12 actions and costs incurred for providing alternative sources of public
13 or private water supplies, when a water supply has been, or is
14 suspected of being, contaminated by a hazardous substance discharge.
15 No moneys appropriated pursuant to this subparagraph (c) may be
16 expended for any indirect administrative costs of the State, its
17 departments, agencies, or authorities. No more than nine percent of
18 the moneys annually credited pursuant to this paragraph, which shall
19 be taken from the amount dedicated pursuant to this subparagraph (c),
20 may be expended for any direct program administrative costs of the
21 State, its departments, agencies, or authorities. If the Legislature
22 dedicates for the purposes of this subparagraph (c) any moneys above
23 the minimum that is required to be dedicated pursuant to this
24 subparagraph (c), those moneys may not be expended for any direct or
25 indirect administrative costs of the State, its departments, agencies, or
26 authorities.

27 (cf: Art.VIII, Sec.II, par.6, effective December 5, 1996)

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

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

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

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

45 If you favor the proposition printed below make a cross (X), plus
46 (+), or check (T) in the square opposite the word "Yes." If you are

1 opposed thereto make a cross (X), plus (+) or check (T) in the square
 2 opposite the word "No."

3 b. In every municipality the following question:
 4

5 6 7 8 9 10 11 12 13 14 15 16 17	YES	<p style="text-align: center;">CONSTITUTIONAL AMENDMENT TO EXPAND USES OF DEDICATED TAX REVENUE TO FUND HAZARDOUS DISCHARGE CLEANUPS</p> <p>Shall the amendment to Article VIII, Section II, paragraph 6 of the Constitution of the State of New Jersey, expanding the authorized uses of the constitutionally dedicated Corporation Business Tax revenue, to include funding the costs of the remediation of hazardous discharges, and funding the costs of a State underground storage tank inspection program, be approved?</p>
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1		INTERPRETIVE STATEMENT
2		Approval of this constitutional amendment
3		would expand the authorized uses of the
4		constitutionally dedicated portion of the
5		Corporation Business Tax revenues to allow
6		funding, including the provision of loans or
7		grants, for the costs of remediation of
8		discharges of hazardous substances. Since
9		1996, 4% of the annual revenue from the
10		Corporation Business Tax has been
11		constitutionally dedicated, with a minimum of
12		one-half allocated for hazardous discharge
13		cleanup performed by the State, a minimum of
14		one sixth or a minimum of \$5 million allocated
15		for water quality projects and, until December
16	NO	31, 2008, a minimum of one third allocated
17		for funding loans or grants for underground
18		storage tank upgrades, replacements, closures
19		and remediations. This constitutional
20		amendment would, without increasing taxes,
21		expand the authorized uses of the one third
22		dedicated to underground storage tank
23		projects, to allow that portion to be used also
24		for funding loans or grants to remediate
25		hazardous substance discharges, and for the
26		use of up to \$2 million per year for an
27		underground storage tank inspection program,
28		and, by removing the December 31, 2008
29		expiration date, would continue its allocation
30		for those purposes.
31		