

ACTS
OF THE
First Annual Session
OF THE
Two Hundred and Sixteenth Legislature
OF THE
STATE OF NEW JERSEY



2014

New Jersey State Library

**AMENDMENTS
ADOPTED IN 2014 TO
THE 1947 CONSTITUTION**

NEW YORK: FEDERAL RESERVE BANK OF NEW YORK

AMENDMENTS ADOPTED IN 2014 TO THE 1947 CONSTITUTION

ARTICLE I, PARAGRAPH 11

Amend Article I, paragraph 11 to read as follows:

11. No person shall, after acquittal, be tried for the same offense. All persons shall, before conviction, be eligible for pretrial release. Pretrial release may be denied to a person if the court finds that no amount of monetary bail, non-monetary conditions of pretrial release, or combination of monetary bail and non-monetary conditions would reasonably assure the person's appearance in court when required, or protect the safety of any other person or the community, or prevent the person from obstructing or attempting to obstruct the criminal justice process. It shall be lawful for the Legislature to establish by law procedures, terms, and conditions applicable to pretrial release and the denial thereof authorized under this provision.

Approved November 4, 2014.

Effective January 1, 2017.

ARTICLE VIII, SECTION II, PARAGRAPH 6

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

6. (a) Commencing July 1, 2015 and ending June 30, 2019, there shall be credited to a special account in the General Fund an amount equivalent to four percent of the revenue annually derived from the tax imposed pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended and supplemented, or any other State law of similar effect.

Commencing July 1, 2019, there shall be credited to a special account in the General Fund an amount equivalent to six percent of the revenue annually derived from the tax imposed pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as amended and supplemented, or any other State law of similar effect.

The amount annually credited pursuant to this subparagraph shall be dedicated and shall be appropriated from time to time by the Legislature only for: providing funding, including loans or grants, for the preservation, including acquisition, development, and stewardship, of lands for recreation and conservation purposes, including lands that protect water supplies and lands that have incurred flood or storm damage or are likely to do so, or that may buffer or protect other properties from flood or storm damage; providing funding, including loans or grants, for the preservation and stewardship of land for agricultural or horticultural use and production; providing funding, including loans or grants for historic preservation; paying administrative costs associated with each of those efforts; paying or financing the cost of water quality point and nonpoint source pollution monitoring, watershed based water resource planning and management, and nonpoint source pollution prevention projects; paying or financing costs incurred by the State for the remediation of discharges of hazardous substances, which costs may include performing necessary operation and maintenance activities relating to remedial actions and 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; providing funding, including loans or grants, for the upgrade, replacement, or closure of underground storage tanks that store or were used to store hazardous substances, and for the costs of remediating any discharge therefrom; and providing funding, including loans and grants, for the costs of the remediation of discharges of hazardous substances, which costs may include 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.

It shall not be competent for the Legislature, under any pretense whatever, to borrow, appropriate, or use the amount credited to the special account pursuant to this paragraph, or any portion thereof, for any purpose or in any manner other than as enumerated in this paragraph. It shall not be competent for the Legislature, under any pretense whatever, to borrow, appropriate, or use the amount credited to the special account pursuant to this paragraph, or any portion thereof, for the payment of the principal or interest on any general obligation bond that was approved by the voters prior to or subsequent to this paragraph becoming part of this Constitution.

All moneys derived from repayments of any loan issued from the amount dedicated pursuant to this paragraph prior to July 1, 2015 for the development of lands for recreation or conservation purposes shall be dedi-

cated, and shall be appropriated from time to time by the Legislature, only for the development of lands for recreation or conservation purposes.

Commencing July 1, 2015 and ending June 30, 2019, seventy-one percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for: providing funding, including loans or grants, for the preservation, including acquisition, development, and stewardship, of lands for recreation and conservation purposes, including lands that protect water supplies and lands that have incurred flood or storm damage or are likely to do so, or that may buffer or protect other properties from flood or storm damage; providing funding, including loans or grants, for the preservation and stewardship of land for agricultural or horticultural use and production; providing funding, including loans or grants, for historic preservation; and paying administrative costs associated with each of those efforts.

Commencing July 1, 2019, seventy-eight percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for: providing funding, including loans or grants, for the preservation, including acquisition, development, and stewardship, of lands for recreation and conservation purposes, including lands that protect water supplies and lands that have incurred flood or storm damage or are likely to do so, or that may buffer or protect other properties from flood or storm damage; providing funding, including loans or grants, for the preservation and stewardship of land for agricultural or horticultural use and production; providing funding, including loans or grants, for historic preservation; and paying administrative costs associated with each of those efforts.

All moneys derived from repayments of any loan issued from the amount dedicated pursuant to this subparagraph for the preservation, including acquisition, development, and stewardship, of lands for recreation and conservation purposes, the preservation and stewardship of land for agricultural or horticultural use and production, or for historic preservation, and all income derived from the investment of moneys in the special account established pursuant to this paragraph, shall be dedicated, and shall be appropriated from time to time by the Legislature only for the preservation, including acquisition, development, and stewardship, of lands for recreation and conservation purposes, the preservation and stewardship of land for agricultural or horticultural use and production, or for historic preservation, as authorized pursuant to this subparagraph.

Commencing July 1, 2015, five percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropri-

ated from time to time by the Legislature, only for paying or financing the cost of water quality point and nonpoint source pollution monitoring, watershed based water resource planning and management, and nonpoint source pollution prevention projects.

Commencing July 1, 2015, five percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for paying or financing the costs incurred by the State for the remediation of discharges of hazardous substances, which costs may include performing necessary operation and maintenance activities relating to remedial actions and 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.

No moneys appropriated pursuant to this subparagraph for the remediation of discharges of hazardous substances may be expended for any direct or indirect administrative costs of the State, or any of its departments, agencies, or authorities.

Commencing July 1, 2015 and ending June 30, 2019, nine percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for providing funding, including loans or grants, for the upgrade, replacement, or closure of underground storage tanks that store or were used to store hazardous substances, and for the costs of remediating any discharge therefrom, and for providing funding, including loans or grants, for the costs of the remediation of discharges of hazardous substances, which costs may include 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 July 1, 2019, five percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for providing funding, including loans or grants, for the upgrade, replacement, or closure of underground storage tanks that store or were used to store hazardous substances, and for the costs of remediating any discharge therefrom, and for providing funding, including loans or grants, for the costs of the remediation of discharges of hazardous substances, which costs may include 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 July 1, 2015, up to \$1,000,000 per year, which shall be taken from the amount appropriated pursuant to this subparagraph for underground storage tank programs, may be expended for the costs of a State underground storage tank inspection program, which costs may include the direct but not indirect 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 thereof.

All moneys derived from repayments of any loan issued from the amount dedicated pursuant to this paragraph prior to or after July 1, 2015 for underground storage tank programs shall be dedicated, and shall be appropriated from time to time by the Legislature, only for loans or grants for underground storage tank programs authorized pursuant to this subparagraph. The dedication of moneys derived from loan repayments shall not expire.

Except for moneys that may be expended for the costs of a State underground storage tank inspection program, no moneys appropriated pursuant to this subparagraph for underground storage tank programs may be expended on any direct or indirect administrative costs of the State or any of its departments, agencies, or authorities.

No moneys appropriated at any time pursuant to this subparagraph for underground storage tank programs may be expended on any upgrade, replacement, or closure of any underground storage tank, or for the remediation of any discharge therefrom, for any underground storage tank owned by the State or any of its departments, agencies, or authorities, or for costs incurred by the State for the remediation of discharges of hazardous substances therefrom.

Commencing July 1, 2015 and ending June 30, 2019, ten percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for providing funding, including loans or grants, for the costs of the remediation of discharges of hazardous substances, which costs may include 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 July 1, 2019, seven percent of the amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for providing funding, including loans or grants, for the costs of the remediation of discharges of hazardous substances, which costs may include costs incurred for providing

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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.

All moneys derived from repayments of any loan issued from the amount dedicated pursuant to this paragraph prior to or after July 1, 2015 for hazardous substance discharge remediation shall be dedicated, and shall be appropriated from time to time by the Legislature, only for loans or grants for hazardous substance discharge remediation authorized pursuant to this subparagraph. The dedication of moneys derived from loan repayments shall not expire.

No moneys appropriated pursuant to this subparagraph for hazardous substance discharge remediation may be expended on any direct or indirect administrative costs of the State or any of its departments, agencies, or authorities.

(b) There shall be credited annually to a special account in the General Fund an amount equivalent to the revenue annually derived from leases and conveyances of lands acquired or developed by the State for recreation and conservation purposes.

The amount annually credited pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for providing funding, including loans or grants, for the preservation, including acquisition, development, and stewardship, of lands for recreation and conservation purposes, including lands that protect water supplies and lands that have incurred flood or storm damage or are likely to do so, or that may buffer or protect other properties from flood or storm damage; providing funding, including loans or grants, for the preservation and stewardship of land for agricultural or horticultural use and production; providing funding, including loans or grants for historic preservation; and paying administrative costs associated with each of those efforts.

All moneys derived from repayments of any loan issued from the amount dedicated pursuant to this subparagraph shall be dedicated, and shall be appropriated from time to time by the Legislature, only for the purposes authorized pursuant to this subparagraph.

Approved November 4, 2014.

Effective July 1, 2015.