

[First Reprint]

# SENATE CONCURRENT

## RESOLUTION No. 43

# STATE OF NEW JERSEY

## 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Co-Sponsored by:**

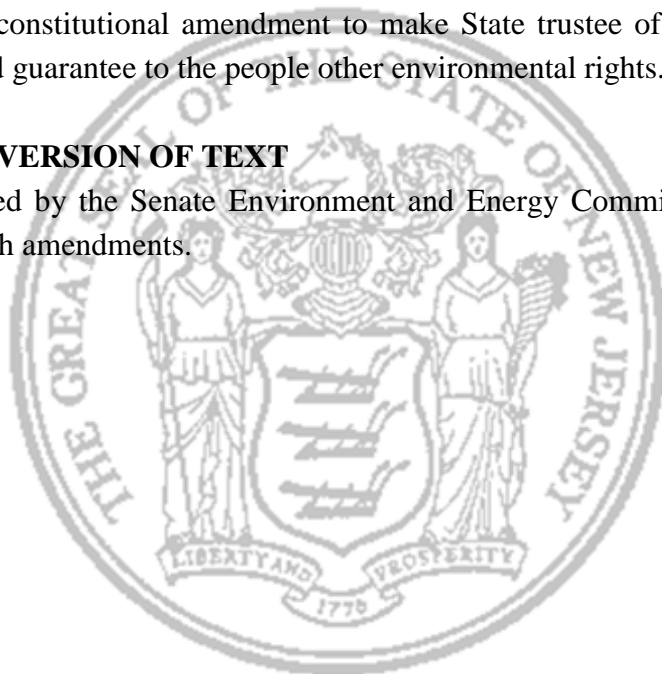
**Senators Vitale, Cruz-Perez, Diegnan, Turner, Gopal, Singer, Ruiz, Lagana, Bramnick, Johnson, Pou, Burgess, McKeon, McKnight, Mukherji and Timberlake**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Senate Environment and Energy Committee on March 14, 2024, with amendments.



**(Sponsorship Updated As Of: 3/18/2024)**

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

3  
4 BE IT RESOLVED by the Senate of the State of New Jersey (the  
5 General Assembly concurring):

6  
7 1. The following proposed amendment to the Constitution of  
8 the State of New Jersey is agreed to:

9  
10 PROPOSED AMENDMENT

11  
12 Amend Article I by adding a new paragraph 24 to read as  
13 follows:

14 24. (a) Every person has a right to a clean and healthy  
15 environment, including pure water, clean air, <sup>1</sup>a safe climate,<sup>1</sup> and  
16 ecologically healthy habitats, and to the preservation of the natural  
17 <sup>1</sup>[.] and<sup>1</sup> scenic <sup>1</sup>[, historic, and esthetic]<sup>1</sup> qualities of the  
18 environment. The State shall not infringe upon these rights <sup>1</sup>[, by  
19 action or inaction]<sup>1</sup>.

20 (b) The State's <sup>1</sup>[public]<sup>1</sup> natural resources, among them its  
21 waters, air, flora, fauna, climate, and public lands, are the common  
22 property of all the people, including both present and future  
23 generations. The State shall serve as trustee of these resources, and  
24 shall conserve and maintain them for the benefit of all people.

25 (c) This paragraph and the rights stated herein are (1) self-  
26 executing, and (2) shall be in addition to any rights conferred by the  
27 public trust doctrine or common law. <sup>1</sup>Nothing in this paragraph  
28 shall abrogate the applicable Rules of Court that prohibit the filing  
29 of frivolous claims.<sup>1</sup>

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

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

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

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.  
Matter enclosed in superscript numerals has been adopted as follows:  
<sup>1</sup>Senate SEN committee amendments adopted March 14, 2024.

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

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

7 b. In every municipality the following question:

	YES	CONSTITUTIONAL AMENDMENT TO ENSURE THE PEOPLE'S ENVIRONMENTAL RIGHTS Do you approve amending the Constitution to grant every person the right to a clean and healthy environment? The amendment would also require the State to protect <sup>1</sup> public] <u>its</u> <sup>1</sup> natural resources.
	NO	INTERPRETIVE STATEMENT This amendment provides that every person has a constitutional right to a clean environment. This includes the right to clean air, pure water, <sup>1</sup> a safe climate, <sup>1</sup> and healthy habitats. The amendment would <sup>1</sup> also <sup>1</sup> require the State to <sup>1</sup> public] <u>conserve and maintain its</u> <sup>1</sup> natural resources <sup>1</sup> for the benefit of all people <sup>1</sup> . <sup>1</sup> The State would also be required to prevent others from destroying or damaging public natural resources.] <sup>1</sup>

8

9

SCHEDULE

10

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