



RESOLUTION – SUPPORTING “GREEN AMENDMENT” TO THE NEW JERSEY STATE CONSTITUTION

WHEREAS, the right of New Jerseyans to clean water, air and a healthy environment is not given any protection in the State of New Jersey’s Constitution; and

WHEREAS, while New Jersey has been known as a leader in environmental protection and natural resources conservation in the United States, there are still thousands of sites where pollution and contamination continue to adversely impact the environment and threaten the quality of our natural resources; and

WHEREAS, the American Lung Association notes that 11 of New Jersey’s 21 counties received an “F” rating when comparing smog levels to health-based air quality standards; and

WHEREAS, it is not unusual for New Jerseyans to wake up to news from the media with headlines and stories describing the threats to our public health; and

WHEREAS, the biggest threat to New Jersey’s environment is climate change, causing sea level rise, increase in ambient temperatures, more severe storms, frequent flooding, negative impacts to individual and public health, and more; and

WHEREAS, a clean and healthy environment is directly related to personal health and longevity, as well as the overall health and wellbeing of the community; and

WHEREAS, in recognition of these facts, a bi-partisan bill has recently been introduced in the New Jersey Senate co-sponsored by Senators Greenstein and Zwicker (SCR 30) and in the New Jersey Assembly co-sponsored by Assemblymen McKeon, Benson and Mukherji (ACR 80) which states that:

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

“Amend Article I by adding a new paragraph 24 to read as follows:

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

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

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

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

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

Franklin Township

In Somerset County



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

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

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

WHEREAS, the proposed ballot question would be asked in every municipality in New Jersey:

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 public natural resources."; and

INTERPRETATIVE STATEMENT

"This amendment provides that every person has a constitutional right to a clean environment. This includes the right to clean air, pure water, and healthy habitats. The amendment would require the State to preserve public natural resources. The State would also be required to prevent others from destroying or damaging public natural resources."; and

WHEREAS, if the Resolution (SCR 30/ACR 80) is passed by the Senate and then the Assembly, and if it is agreed to by the voters in a public question ballot referendum, this "Green Amendment" will be added to the Bill of Rights of New Jersey State Constitution; and

WHEREAS, the Council of the Township of Franklin (Somerset County) recognizes that clean water, air and a healthy environment protects the health and enhances the quality of the lives of all New Jersey residents, and that equitable access to the same should be the right of all people in our State.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Franklin (Somerset County) hereby supports SCR 30 and its counterpart in the Assembly ACR 80 ("The Green Amendment").

BE IT FURTHER RESOLVED that the Council of the Township of Franklin (Somerset County) encourages its legislative delegation to support SCR 30 and ACR 80 for full passage by the Assembly and Senate so that the voters of the great State of New Jersey have this opportunity to add "The Green Amendment" to the New Jersey State Constitution and Bill of Rights.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Township of Franklin's (Somerset County) State Legislative Delegation and the Franklin Township Environmental Commission.

Franklin Township

In Somerset County



CERTIFICATION

I, Ann Marie McCarthy, Township Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a Work Session/Regular Meeting held on the 8/8/2023.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 8/8/2023.

Ann Marie McCarthy
Township Clerk