

House Resolution 1425

By: Representatives Mosley of the 129th, Post 1, Floyd of the 132nd, Hanner of the 133rd, McCall of the 78th, Porter of the 119th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to require the General Assembly to
 2 provide by general law for the creation of a Georgia Solid Waste and Hazardous Waste
 3 Response Trust Fund from which funds shall be disbursed as provided by general law to
 4 protect the public health and safety and the environment from the release of contaminants
 5 and hazardous substances; to provide for payments into the trust fund; to provide for the
 6 applicability of certain provisions of the Constitution; to provide for the submission of this
 7 amendment for ratification or rejection; and for other purposes.

8 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article III, Section IX, Paragraph VI of the Constitution is amended by adding a new
 11 subparagraph immediately following subparagraph (m), to be designated subparagraph (n),
 12 to read as follows:

13 "(n) The General Assembly shall provide by general law for the creation of a Georgia
 14 Solid Waste and Hazardous Waste Response Trust Fund from which funds shall be
 15 disbursed as provided by general law to protect the public health and safety and the
 16 environment from the release of contaminants and hazardous substances; to ensure the
 17 proper disposal of scrap tires and other items which pose a substantial threat the public
 18 health and safety and the environment if improperly discarded; to fund activities related to
 19 the prevention of any such releases; to take corrective action when such releases occur; and
 20 to finance the state and local share of the costs required by any federal law relating to such
 21 matters. The General Assembly may provide by general law for the dedication and deposit
 22 into the trust fund of revenues from such source or sources as the General Assembly deems
 23 appropriate. The fund may have more than one account for programs related to the
 24 purposes of this subparagraph, and each such account may be funded and disbursed
 25 independently as provided by general law. The General Assembly may provide by law for
 26 the administration of the trust fund. Moneys paid into the trust fund shall not be subject

1 to the provisions of Article III, Section IX, Paragraph IV(c), relative to lapsing of funds,
2 or of Article VII, Section III, Paragraph II, relative to funds paid into the state."

3 **SECTION 2.**

4 The above proposed amendment to the Constitution shall be published and submitted as
5 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
6 above proposed amendment shall have written or printed thereon the following:

7 " YES Shall the Constitution be amended so as to require the General
8 Assembly to provide by general law for the creation of a Georgia
9 Solid Waste and Hazardous Waste Response Trust Fund from which
10 NO funds shall be disbursed to protect the public health and safety and
11 the environment from the release of contaminants and hazardous
12 substances?"

13 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
14 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
15 such amendment shall be ratified as provided in such Paragraph of the Constitution, it shall
16 become a part of the Constitution of this state and shall take effect as provided in Article X,
17 Section I, Paragraph VI of the Constitution.