

## House Resolution 1425 (COMMITTEE SUBSTITUTE)

By: Representatives Mosley of the 129<sup>th</sup>, Post 1, Floyd of the 132<sup>nd</sup>, Hanner of the 133<sup>rd</sup>, McCall of the 78<sup>th</sup>, Porter of the 119<sup>th</sup>, 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 Trust  
 3 Fund from which funds shall be disbursed as provided by general law to protect the public  
 4 health and safety and the environment from the release of contaminants, hazardous waste,  
 5 hazardous constituents, and hazardous substances; to provide for payments into the trust  
 6 fund; to provide for the applicability of certain provisions of the Constitution; to provide for  
 7 the submission of this 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 Trust Fund from which funds shall be disbursed as  
 15 provided by general law to protect the public health and safety and the environment from  
 16 the release of contaminants, hazardous waste, hazardous constituents, and hazardous  
 17 substances; to ensure the proper disposal of solid waste, scrap tires, and other items which  
 18 pose a substantial threat the public health and safety and the environment if improperly  
 19 discarded; to fund activities related to the prevention of any such releases; to take  
 20 corrective action when such improper disposal and releases occur; to finance the state and  
 21 local share of the costs required by any federal or state law relating to such matters; to fund  
 22 state oversight of corrective action at federal facilities; and to fund costs associated with  
 23 trust fund programs. The General Assembly may provide by general law for the dedication  
 24 and deposit into the trust fund of revenues from such source or sources as the General  
 25 Assembly deems appropriate. The fund may have more than one account for programs  
 26 related to the purposes of this subparagraph, and each such account may be funded and  
 27 disbursed independently as provided by general law. The General Assembly may provide

1 by law for the administration of the trust fund. Moneys paid into the trust fund shall not  
 2 be subject to the provisions of Article III, Section IX, Paragraph IV(c), relative to lapsing  
 3 of funds, or of Article VII, Section III, Paragraph II, relative to funds paid into the state."

4 **SECTION 2.**

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

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

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