

# House Joint Resolution 34

Sponsored by Representative J SMITH (at the request of Joe Cortright)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution requiring persons disposing of materials into air, land, surface water or ground water to pay State of Oregon for damages.

Refers proposed amendment to people for their approval or rejection at next regular general election.

## JOINT RESOLUTION

**Be It Resolved by the Legislative Assembly of the State of Oregon:**

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section 12 to be added to and made a part of Article XV, such section to read:

**SECTION 12. A person may not dispose of any materials into the air, land, surface water or ground water resources in this state without compensating the State of Oregon for any damage caused by the disposal. The Legislative Assembly shall by law establish a schedule of damages and provide for the collection of compensation for any damage. All moneys collected as damages under this section that remain after deduction for the costs of collection and costs of preventing and remediating damage to the air, land, surface water and ground water resources in this state must be returned annually to the taxpayers of this state on an equal basis.**

**PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.