

SENATE, No. 2538

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED OCTOBER 3, 2001

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Assemblymen Gibson and Asselta

SYNOPSIS

Changes population requirements for counties of fifth and sixth classes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/4/2002)

S2538 CAFIERO

2

1 AN ACT changing the population requirements for counties of the fifth
2 and sixth classes and amending N.J.S.40A:6-1.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.40A:6-1 is amended to read as follows:

8 40A:6-1. For legislative purposes, counties are classified as follows
9 based upon their population as ascertained by the most recent federal
10 decennial census:

11 a. First class--counties having a population of more than 550,000
12 and a population density of more than 3,000 persons per square mile;

13 b. Second class-- all other counties having a population of more
14 than 200,000 except such counties bordering on the Atlantic ocean;

15 c. Third class--counties having a population of not less than 50,000
16 but not more than 200,000 except such counties bordering on the
17 Atlantic ocean;

18 d. Fourth class--counties having a population of less than 50,000
19 except such counties bordering on the Atlantic ocean;

20 e. Fifth class--counties bordering on the Atlantic ocean having a
21 population of more than ~~100,000~~ 125,000 ;

22 f. Sixth class--counties bordering on the Atlantic ocean having a
23 population of not more than ~~100,000~~ 125,000 .

24 (cf: P.L.1981, c.462, s.44)

25

26 2. This act shall take effect immediately and shall be retroactive to
27 July 1, 2001.

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STATEMENT

31

32 This bill would amend N.J.S.40A:6-1 to change the population
33 requirements of counties of the fifth class and counties of the sixth
34 class.

35 Under the 2000 federal decennial census, Cape May County's
36 population increased to 102,326 from its population of 95,089 under
37 the 1990 federal decennial census. This increase to a population of
38 more than 100,000 persons resulted in a change of classification for
39 Cape May County from a county of the sixth class to a county of the
40 fifth class. The change in classification took effect on July 1, 2001 as
41 required by N.J.S.40A:6-2, which states that the change in
42 classification will take effect on the July 1 following the promulgation

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.

S2538 CAFIERO

1 of the census pursuant to R.S.52:4-1. The Governor promulgated the
2 census as required by that statute on April 12, 2001.

3 This bill is necessary to prevent the loss of certain benefits to Cape
4 May County and to municipalities located in Cape May County by
5 virtue of a change in classification.

6 This bill will not affect the classification of any county other than
7 Cape May County, because the other counties of the fifth class,
8 Monmouth, Ocean and Atlantic, all have populations well over
9 125,000.

10 The bill will take effect immediately and be retroactive to July 1,
11 2001 in order to protect Cape May County's status as a county of the
12 sixth class between July 1, 2001 and the effective date of the bill.

SENATE COMMUNITY AND URBAN COMMITTEE

STATEMENT TO

SENATE, No. 2538

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 2001

The Senate Community and Urban Committee reports favorably Senate Bill No. 2538.

This bill would amend N.J.S.40A:6-1 to change the population requirements of counties of the fifth class and counties of the sixth class.

Under the 2000 federal decennial census, Cape May County's population increased to 102,326 from its population of 95,089 under the 1990 federal decennial census. This increase to a population of more than 100,000 persons resulted in a change of classification for Cape May County from a county of the sixth class to a county of the fifth class. The change in classification took effect on July 1, 2001 as required by N.J.S.40A:6-2, which states that the change in classification will take effect on the July 1 following the promulgation of the census pursuant to R.S.52:4-1. The Governor promulgated the census as required by that statute on April 12, 2001.

This bill is necessary to prevent the loss of certain benefits to Cape May County and to municipalities located in Cape May County by virtue of a change in classification.

This bill will not affect the classification of any county other than Cape May County, because the other counties of the fifth class, Monmouth, Ocean and Atlantic, all have populations well over 125,000.

The bill will take effect immediately and be retroactive to July 1, 2001 in order to protect Cape May County's status as a county of the sixth class between July 1, 2001 and the effective date of the bill.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2538

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Assembly Local Government Committee reports favorably Senate Bill No. 2538.

This bill would amend N.J.S.40A:6-1 to change the population requirements of counties of the fifth class and counties of the sixth class.

Under the 2000 federal decennial census, the population of Cape May County increased to 102,326 from its population of 95,089 under the 1990 federal decennial census. This increase to a population of more than 100,000 persons resulted in a change of classification for Cape May County from a county of the sixth class to a county of the fifth class. The change in classification took effect on July 1, 2001 as required by N.J.S.40A:6-2, which states that the change in classification will take effect on the July 1 following the promulgation of the census pursuant to R.S.52:4-1. The Governor promulgated the census as required by that statute on April 12, 2001.

This bill is necessary to prevent the loss of certain benefits to Cape May County and to municipalities located in Cape May County by virtue of a change in classification.

This bill will not affect the classification of any county other than Cape May County, because the other counties of the fifth class, Monmouth, Ocean and Atlantic, all have populations well over 125,000.

The bill will take effect immediately and be retroactive to July 1, 2001 in order to protect Cape May County's status as a county of the sixth class between July 1, 2001 and the effective date of the bill.

ASSEMBLY, No. 3850

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Changes population requirements for counties of fifth and sixth classes.

CURRENT VERSION OF TEXT

As introduced.



A3850 GIBSON, ASSELTA

2

1 AN ACT changing the population requirements for counties of the fifth
2 and sixth classes and amending N.J.S.40A:6-1.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.40A:6-1 is amended to read as follows:

8 40A:6-1. For legislative purposes, counties are classified as follows
9 based upon their population as ascertained by the most recent federal
10 decennial census:

11 a. First class--counties having a population of more than 550,000
12 and a population density of more than 3,000 persons per square mile;

13 b. Second class-- all other counties having a population of more
14 than 200,000 except such counties bordering on the Atlantic ocean;

15 c. Third class--counties having a population of not less than 50,000
16 but not more than 200,000 except such counties bordering on the
17 Atlantic ocean;

18 d. Fourth class--counties having a population of less than 50,000
19 except such counties bordering on the Atlantic ocean;

20 e. Fifth class--counties bordering on the Atlantic ocean having a
21 population of more than [~~100,000~~] 125,000 ;

22 f. Sixth class--counties bordering on the Atlantic ocean having a
23 population of not more than [~~100,000~~] 125,000 .

24 (cf: P.L.1981, c.462, s.44)

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26 2. This act shall take effect immediately and shall be retroactive to
27 July 1, 2001.

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STATEMENT

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33 requirements of counties of the fifth class and counties of the sixth
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36 population increased to 102,326 from its population of 95,089 under
37 the 1990 federal decennial census. This increase to a population of
38 more than 100,000 persons resulted in a change of classification for
39 Cape May County from a county of the sixth class to a county of the
40 fifth class. The change in classification took effect on July 1, 2001 as
41 required by N.J.S.40A:6-2, which states that the change in
42 classification takes effect on the July 1 following the promulgation of
43 the census pursuant to R.S.52:4-1. The Governor promulgated the

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A3850 GIBSON, ASSELTA

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1 census as required by that statute on April 12, 2001.

2 This bill is necessary to prevent the loss of certain benefits to Cape
3 May County and to municipalities located in Cape May County by
4 virtue of a change in classification.

5 This bill will not affect the classification of any county other than
6 Cape May County, because the other counties of the fifth class,
7 Monmouth, Ocean and Atlantic, all have populations well over
8 125,000.

9 The bill will take effect immediately and be retroactive to July 1,
10 2001 in order to protect Cape May County's status as a county of the
11 sixth class between July 1, 2001 and the effective date of the bill.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3850

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Assembly Local Government Committee reports favorably Assembly Bill No. 3850.

This bill would amend N.J.S.40A:6-1 to change the population requirements of counties of the fifth class and counties of the sixth class.

Under the 2000 federal decennial census, the population of Cape May County increased to 102,326 from its population of 95,089 under the 1990 federal decennial census. This increase to a population of more than 100,000 persons resulted in a change of classification for Cape May County from a county of the sixth class to a county of the fifth class. The change in classification took effect on July 1, 2001 as required by N.J.S.40A:6-2, which states that the change in classification takes effect on the July 1 following the promulgation of the census pursuant to R.S.52:4-1. The Governor promulgated the census as required by that statute on April 12, 2001.

This bill is necessary to prevent the loss of certain benefits to Cape May County and to municipalities located in Cape May County by virtue of a change in classification.

This bill will not affect the classification of any county other than Cape May County, because the other counties of the fifth class, Monmouth, Ocean and Atlantic, all have populations well over 125,000.

The bill will take effect immediately and be retroactive to July 1, 2001 in order to protect Cape May County's status as a county of the sixth class between July 1, 2001 and the effective date of the bill.

P.L. 2001, CHAPTER 336, *approved January 5, 2002*

Senate, No. 2538

1 **AN ACT** changing the population requirements for counties of the fifth
2 and sixth classes and amending N.J.S.40A:6-1.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. N.J.S.40A:6-1 is amended to read as follows:

8 40A:6-1. For legislative purposes, counties are classified as follows
9 based upon their population as ascertained by the most recent federal
10 decennial census:

11 a. First class--counties having a population of more than 550,000
12 and a population density of more than 3,000 persons per square mile;

13 b. Second class-- all other counties having a population of more
14 than 200,000 except such counties bordering on the Atlantic ocean;

15 c. Third class--counties having a population of not less than 50,000
16 but not more than 200,000 except such counties bordering on the
17 Atlantic ocean;

18 d. Fourth class--counties having a population of less than 50,000
19 except such counties bordering on the Atlantic ocean;

20 e. Fifth class--counties bordering on the Atlantic ocean having a
21 population of more than **[100,000]** 125,000 ;

22 f. Sixth class--counties bordering on the Atlantic ocean having a
23 population of not more than **[100,000]** 125,000 .

24 (cf: P.L.1981, c.462, s.44)

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26 2. This act shall take effect immediately and shall be retroactive to
27 July 1, 2001.

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STATEMENT

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32 This bill would amend N.J.S.40A:6-1 to change the population
33 requirements of counties of the fifth class and counties of the sixth
34 class.

35 Under the 2000 federal decennial census, Cape May County's
36 population increased to 102,326 from its population of 95,089 under
37 the 1990 federal decennial census. This increase to a population of
38 more than 100,000 persons resulted in a change of classification for
39 Cape May County from a county of the sixth class to a county of the
40 fifth class. The change in classification took effect on July 1, 2001 as
41 required by N.J.S.40A:6-2, which states that the change in

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.

1 classification will take effect on the July 1 following the promulgation
2 of the census pursuant to R.S.52:4-1. The Governor promulgated the
3 census as required by that statute on April 12, 2001.

4 This bill is necessary to prevent the loss of certain benefits to Cape
5 May County and to municipalities located in Cape May County by
6 virtue of a change in classification.

7 This bill will not affect the classification of any county other than
8 Cape May County, because the other counties of the fifth class,
9 Monmouth, Ocean and Atlantic, all have populations well over
10 125,000.

11 The bill will take effect immediately and be retroactive to July 1,
12 2001 in order to protect Cape May County's status as a county of the
13 sixth class between July 1, 2001 and the effective date of the bill.

14

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18 Changes population requirements for counties of fifth and sixth
19 classes.

CHAPTER 336

AN ACT changing the population requirements for counties of the fifth and sixth classes and amending N.J.S.40A:6-1.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. N.J.S.40A:6-1 is amended to read as follows:

Classification of counties for legislative purposes.

40A:6-1. For legislative purposes, counties are classified as follows based upon their population as ascertained by the most recent federal decennial census:

- a. First class--counties having a population of more than 550,000 and a population density of more than 3,000 persons per square mile;
- b. Second class-- all other counties having a population of more than 200,000 except such counties bordering on the Atlantic ocean;
- c. Third class--counties having a population of not less than 50,000 but not more than 200,000 except such counties bordering on the Atlantic ocean;
- d. Fourth class--counties having a population of less than 50,000 except such counties bordering on the Atlantic ocean;
- e. Fifth class--counties bordering on the Atlantic ocean having a population of more than 125,000;
- f. Sixth class--counties bordering on the Atlantic ocean having a population of not more than 125,000.

2. This act shall take effect immediately and shall be retroactive to July 1, 2001.

Approved January 5, 2002.