

40A:4-45.3

LEGISLATIVE HISTORY CHECKLIST

(Hackensack Meadowlands municipalities--
intermunicipal tax account monies--exempt
from "caps" law)

RUSA 40A:4-45.3

LAWS OF 1980

CHAPTER 66

Bill No. A1826

Sponsor(s) Jackman and Van Wagner

Date Introduced June 9, 1980

Committee: Assembly

Senate

Amended during passage

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Date of Passage: Assembly June 16, 1980

Senate June 26, 1980

Date of approval July 10, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~ (Below)

Committee Statement: Assembly ~~xxx~~ Yes No

Senate ~~xxx~~ Yes No

Fiscal Note ~~xxx~~ Yes No

Veto message ~~xxx~~ Yes No

Message on signing Yes ~~xx~~

Following were printed:

Reports ~~xxx~~ Yes No

Hearings ~~xxx~~ Yes No

Sponsor's statement:

This bill would provide for an exemption from the "Local Budget Caps" for amounts required to be paid by any constituent municipality of the Hackensack Meadowlands District to the inter-municipal tax account under article 9 of the "Hackensack Meadowlands Reclamation and Development Act".

9/1/73

ASSEMBLY, No. 1826

STATE OF NEW JERSEY

INTRODUCED JUNE 9, 1980

By Assemblymen JACKMAN and VAN WAGNER

(Without Reference)

AN ACT to amend "An act to place limits on expenditures by counties and municipalities and supplementing Title 40A of the New Jersey Statutes," approved August 18, 1976 (P. L. 1976, c. 68).

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

1 1. Section 3 of P. L. 1976, c. 68 (C. 40A:4-45.3) is amended
2 to read as follows:

3 3. In the preparation of its budget a municipality shall limit
4 any increase in said budget to 5% over the previous year's final
5 appropriations subject to the following exceptions:

6 a. The amount of revenue generated by the increase in its valua-
7 tions based solely on applying the preceding year's general tax
8 rate of the municipality to the assessed value of new construction
9 or improvements;

10 b. Capital expenditures funded by any source other than the local
11 property tax, and programs funded wholly or in part by Federal or
12 State funds in which the financial share of the municipality is not
13 required to increase the final appropriations by more than 5%;

14 c. An increase based upon an ordinance declaring an emergency
15 situation according to the definition provided in N. J. S. 40A:4-46
16 approved by at least two-thirds of the governing body and approved
17 by the Local Finance Board; provided, however, that all such emer-
18 gency authorizations shall not exceed, in the aggregate, 3% of
19 current and utility operating appropriations made in the budget
20 adopted for that year, and provided further that nothing herein
21 provided shall be applicable to any emergency appropriation reso-
22 lution adopted pursuant to N. J. S. 40A:4-46 for a purpose referred
23 to in d. or j. below;

24 d. All debt service, including that of a Type I school district;

25 e. Amounts required for funding a preceding year's deficit;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

- 26 f. Amounts reserved for uncollected taxes;
- 27 g. Expenditures mandated after the effective date of this act
28 pursuant to State or Federal law;
- 29 h. Expenditure of amounts derived from new or increased service
30 fees imposed by ordinance, or derived from the sale of municipal
31 assets;
- 32 i. When approved by referendum; **[or]**
- 33 j. Amounts required to be paid pursuant to any contract with
34 respect to use, services or provision of any project, facility or
35 public improvement for water, sewer, solid waste, parking, senior
36 citizen housing or any similar purpose, or payments on account of
37 debt service therefor, between a municipality and any other
38 municipality, county, school or other district, agency, authority,
39 commission, instrumentality, public corporation, body corporate
40 and politic or political subdivision of this State. With respect to
41 the amounts required to be paid for senior citizen housing in the
42 above cited political subdivisions or bodies, the exceptions shall
43 be subject to the review and approval of the Local Finance Board;
44 *or,*
- 45 *k. Amounts required to be paid by any constituent municipality*
46 *of the Hackensack Meadowlands District established pursuant to*
47 *article 2 of the "Hackensack Meadowlands Reclamation and Devel-*
48 *opment Act," (P. L. 1968, c. 404; C. 13:17-4) to the intermunicipal*
49 *account established pursuant to article 9 of said act (C. 13:17-60*
50 *through 13:17-76).*
- 1 2. This act shall take effect immediately.

STATEMENT

This bill would provide for an exemption from the "Local Budget Caps" for amounts required to be paid by any constituent municipality of the Hackensack Meadowlands District to the intermunicipal tax account under article 9 of the "Hackensack Meadowlands Reclamation and Development Act."

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JULY 11, 1980

JOE SANTANGELO

Governor Brendan Byrne has signed the following bills:

A-1812, sponsored by Assemblyman John Paul Doyle (D-Ocean), which amends the Pinelands Protection Act to extend the time by which the Pinelands Commission must adopt a Comprehensive Management Plan for the protection area.

Under the current law the plan for both the protection and the preservation areas must be adopted by the Commission by August 8, 1980.

Under the new bill the preservation area plan will be adopted by August 8, 1980, but the protection plan will be presented by November 14, 1980 and adopted no later than December 15, 1980. Once adopted the plan will become effective after 31 days, allowing interested persons to thoroughly review and comment on the plan and allowing the Legislature to respond to the adopted plan.

This bill also amends the Act to allow the Governor ten days to veto actions of the Commission and 30 days to veto the Comprehensive Management Plan. The bill, however, does not affect any of the provisions of the current law limiting development which would continue to be imposed.

"This legislation does not weaken our commitment to the saving of our Pinelands, but only gives more time for adoption of a plan for the outer area of the Pinelands," said the Governor.

A-1826, sponsored by Assemblyman Christopher J. Jackman (D-Hudson), makes payments from municipalities to the intermunicipal account established in the Hackensack Meadowlands Reclamation and Development Act, exempt from budget caps.

The intermunicipal account was devised to permit equitable distribution among municipalities of the financial benefits and liabilities resulting from the development of the Hackensack Meadowlands District. This would protect constituent municipalities against losses in existing ratables caused by condemnation of taxable real property for public use to the extent the loss is not offset by an increase in the true value of the remaining real property.

Adjustments will be made annually among the districts based on data such as changes in assessments, student enrollments and local school tax levies. Depending on the result of the calculations, municipalities either receive payments from the fund or make payments to it.